The Gujarat Carnage

edited by Asghar Ali Engineer

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Edited by

ASGHAR ALI ENGINEER

Orient Longman

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PREFACE

This book is a compilation of important articles, interviews, investigative reports, the National Human Rights Commission's final report and other important material on the post-Godhra carnage in Gujarat. This compilation has been made with a view to providing useful material for future researchers as well as for academics and lay readers.

The Gujarat carnage is unprecedented in the history of communal violence in Post-Independence India. Never before has such communal carnage taken place—not even before Independence. It is a cataclysmic event, a calamity of unimaginable proportions. Future generations of scholars and academics will require ample information about it. This book will provide them, if not with all, then at least with a great deal of that information.

So much has been written on this tragedy that it was not easy to make a selection. However, we have done our best in exercising our discretion. Never before had so many inquiry teams rushed to any scene of communal violence as were witnessed during and after the carnage. To my knowledge more than 30 inquiries were conducted by various NGOs and voluntary teams. We have gone through all their reports and documents, and included those which highlight important aspects of the events that occured. It was for the first time that the National Human Rights Commission took a direct interest in communal violence. The Commission's report to the nation is of utmost significance and hence we have included it here.

I am extremely grateful to Ms Dipika Banerjee and to Zafrus Salam, my colleagues at the Centre for Study of Society and Secularism, for their great help in collecting all the material and diligently putting it together. But for their help it would have been difficult to compile this volume. I express my thanks to both of them.

We wanted to include much more in this volume, but could not owing to the constraint of length. However, we have tried to ensure that all that is absolutely necessary is included in it. I am grateful to Orient Longman for agreeing to publish the volume.

Mumbai, 18 November 2002 ASGHAR ALI ENGINEER

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JOURNALS

Asian Age, Deccan Herald, Economic and Political Weekly, The Hindu, Hindustan Times, Indian Express, Mainstream, Milli Gazette, Muslim India, Outlook, Secular Perspective, Seminar, The Statesman, The Telegraph, The Times of India.

ASSOCIATIONS, INSTITUTIONS, STATUTORY BODIES, ETC

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1. INTRODUCTION

THE GUJARAT CARNAGE

The Gujarat carnage, which began on 28 February 2002, a day after about 58 innocent persons were burnt alive in sleeping coach no. S-6 of the Sabarmati Express at Godhra, has shaken the whole world, not just India. The violence unleashed with the imperfectly hidden complicity of the state machinery and the ruling party was not controlled even more than 60 days after it broke out. The whole police force with some honourable exceptions was communalised or abdicated its duty. The administrative apparatus was no different. An honest and anguished officer such as Harsh Mander from the Madhya Pradesh cadre of the IAS resigned in sheer disgust when he saw his colleagues in Gujarat surrendering to the dictates of the ruling apparatus without any compunction.

The frequency with which communal holocausts have been taking place in this country shows that there is something fundamentally wrong with our political system as well as with our secular governance. We adopted a secular political structure for our republic mainly because of the culturally plural composition of our population. Secularism was adopted as a policy not after Independence, but when the Indian National Congress (the INC) was founded in 1885. The founding fathers of the INC were well aware of the cultural diversity of our population.

The leaders of the freedom struggle reaffirmed their faith in secular politics time and again. Secularism, moreover, was not adopted merely as a political strategy, but because many of those leaders had deep convictions regarding secularism and the desirability of a secular state. Among those leaders were Mahatma Gandhi, Jawaharlal Nehru, Maulana Abul Kalam Azad and several others.

These leaders were strongly committed to a secular polity and made no compromise as far as secularism was concerned. What is more, they often paid a heavy price for their conviction.

However, despite the sincere commitment of these leaders to secularism, things did go seriously wrong, and the communal question assumed serious proportions much before our country became free. The communal question could not be resolved to the satisfaction of the elite of the Hindu and the Muslim communities. Thus our freedom was won at a price – through the vivisection of our country on communal grounds.

It is important to throw some light on the nature of communalism. Communalism is not, as is often thought by some, a product of religion, but, rather, of the politics of the elite of a religious community. In other words religion per se does not give birth to communalism; a religious community does. It is also important to note that communalism was not a product of the medieval ages but of the modern period. The medieval polity was not competitive; much less was it democratic. The modern colonial polity was both competitive and proto-democratic.

It is competitive politics between the elites of two or more communities, which give rise to communalism. And when a third party in the form of colonial authority is present, the situation assumes graver proportions. Though the British colonial rulers cannot be held solely responsible for the genesis of communalism, they did play a vital role in that genesis, as well as in promoting communalism. Right from the day the British rulers sensed the damage that Hindu-Muslim unity could cause to their empire, they began dividing the two communities, and the distortion of history proved to be quite a powerful instrument in doing so. History textbooks were so written as to emphasise to Hindus that the Muslim rulers had oppressed Hindus, demolished their temples and humiliated them.

This engineering of a division between Hindus and Muslims by the British rulers was aggravated by competitive politics between the elites of the two communities. Hindus and Muslims were the two major communities in India both before and after Partition. Before Partition, Muslims constituted approximately 25% of India's population. The real division was brought about on the question of sharing power and not by differences in religious beliefs. The real question was not what Hindus believed in, or the nature of Muslim religious dogmas. It was how political power on the one hand, and government jobs on the other, would be shared between the elites

of the two communities. This could not be resolved to the satisfaction of the Muslim and Hindu elites and communal tensions between the two communities became almost inevitable.

It is not our case that religion played no role; it did. But this role was not fundamental; it was instrumental. Religion, since it has a powerful emotional appeal, was used (almost cynically) to mobilise the believing masses. Religious controversies like those about playing music before mosques, or cow slaughter, became perennial issues in communal politics, especially before Independence. However, the real fight was not about music or cows; those differences could easily have been resolved through mutual dialogue. The real issue was the sharing and control of political power. Even the (Motilal) Nehru Committee could not resolve this deadlock in 1928, which can be described as a watershed year in pre-Independence India's communal question.

Jinnah rose to eminence in the freedom movement as an 'ambassador of Hindu-Muslim unity', as Sarojini Naidu put it. He opposed the Khilafat Movement because of the participation in it of mullahs and dogmatic 'ulama. He differed from Gandhiji on this issue. Thus until then his secular credentials were immaculate. In fact, he was hardly a believer in Islam in the real sense of the word.

However, he soon became a controversial personality, as he demanded a share in power for Muslims exceeding their percentage in the population. The Nehru Committee pre-eminently failed to resolve the communal question as the Muslim elite led by Jinnah demanded a share in power and in the constitutional arrangements which was not acceptable to the Congress leadership. The frustrated Jinnah even temporarily withdrew from politics and settled down in England. His political re-birth in 1937 was initially reconciliatory (he entered into an informal understanding with the Congress about the sharing of power after the elections in 1937). However, he soon evolved as an inveterate opponent of the Congress, as the Congress did not fulfil its part of the understanding.

Thus Jinnah vowed to oppose Congress and claimed 'sole spokesmanship' of the Muslims, which was unacceptable not only to the Congress but also to other Muslim leaders, especially the nationalist Muslim leadership. Jinnah was far from being the sole spokesman of all Muslims. Muslims in India were too diverse, in every sense of the word, to admit such a claim. He had no following not only among southern Muslims (the South was not as communalised as the North of India) but also among the Muslims

of the North. In fact he had a following among a section of U.P. and Bihar Muslims, as U.P. and Bihar were Muslim minority states. It was minority fears which helped establish Jinnah's leadership among the Muslims of these two big states of North India.

He could establish his tenuous hold over Muslim majority states like Punjab and Bengal only after much struggle and nearer Independence (especially after 1945) when the elite of the Muslim majority states came to realise that it was Jinnah who could ensure a greater share in power at the Centre. It was after this realisation that the Muslim majority states' rulers fell in line and began to listen to Jinnah. Till then, Jinnah had to use all sorts of tactics to make them listen to him.

It should also be noted that Jinnah alone cannot be held responsible for the partition of the country in 1947. The Congress leadership, with its tactical mistakes, its haste for power and its refusal to accommodate even some of the lesser demands of the Muslim elite, is equally responsible for the partition of the country. Partition was certainly not inevitable, as it appeared to be to the Congress leadership in 1947. It could certainly have been averted if the Congress had shown a certain sagacity, magnanimity and statesmanship. Maulana Azad, in his book *India Wins Freedom*, has pointed out the tactical mistakes committed by Jawaharlal Nehru, and to that extent held him also responsible for the tragedy of Partition.

Partition was made inevitable by a series of tactical and other mistakes made by all the important actors in the Partition drama. But one thing is certain: these actors were representative only of the Hindu and Muslim elites. The masses had no role in this drama. The Hindu and Muslim masses were, at best, mute spectators and far from being actors. It is to be noted that there was no adult franchise during the entire British period. Not more than ten percent of the Indian population was enfranchised and it is this narrow enfranchised population which decided the fate of our country in 1947. Had there been adult franchise it certainly would have impacted on the fate of India, and Partition, in all probability, could have been averted.

The masses had no interest in Partition. They were neither part of the power structure, nor did they have feelings of separatism. Separatism, it must be noted, is a political and not a religious phenomenon. The masses were communally far more integrated, as they are even today, than the political, cultural and religious elites who tried to carve a niche for themselves in the political power

structure. The masses also shared and still share poverty and misery together. Unlike the elites their religious beliefs, superstitions and social customs and traditions have much in common. Initially it was the separate electorates introduced on communal lines by the British rulers in 1909 that laid the foundation of separatism, and this separatism was not a product of religion but of the politics of competition. Religion is not essentially divisive; it becomes divisive only in a given political context.

Here we are not holding politics per se to be the culprit. The question is whether it is people's-problem-oriented politics or power-oriented politics. It is power-oriented politics which is divisive, and problem-oriented politics which tends to be integrative. But it was essentially power-oriented politics which brought about the division of the country, and it is power-oriented politics which has made communalism so strong today.

Our reason for discussing the controversial issue of Partition in this context is that it has had tremendous impact on the communal situation in India. National leaders like Nehru and others thought that the communal problem would be solved if Partition was accepted. Partition was in fact thought to be the only solution for the problem. However, it was a desperate solution. The national leaders were in a hurry to come to power, and accepted a cure which was worse than the disease. Partition, unfortunately, is a wound which refuses to heal more than half a century after it became a reality.

Partition was bad in itself, and the communal forces keep on misusing it today for their own political ends, thus worsening the problem. Unfortunately the Hindu communal forces like the RSS and Hindu Mahasabha were equally responsible for Partition, and now they are further complicating the issue by raising the slogan of Akhand Bharat (undivided India), considering Pakistan to be the main enemy and casting aspersions on the loyalty of Indian Muslims whom they accuse of being pro-Pakistani.

II: Post-Partition India and the Communal Problem

Despite the partition of pre-Independence India on the basis of religion, the new state of India left after the separation of Pakistan resolved to be a secular state and promulgated its Constitution in 1950, accepting equal rights for all citizens irrespective of their caste, creed or race. It was undoubtedly a great step forward. Thus

citizenship was prioritised over religion and ethnicity; citizenship and not religion became the fundamental category. At the same time all citizens were given the right to profess, practise and propagate their religion. Thus the Indian Constitution was a creative blend of secularism and age-old Indian traditions. It was modern, secular as well as respectful of religious freedom.

However, it was not easy to translate the Constitutional ideals into practice in a society as complex as that of India, and as communalised as Indian society was on account of endless communal controversies generated by politicians from either side. Even the Congress party was not really secular functionally. Though it was notionally a secular party, there were quite a few individual members who subscribed to a communal ideology. Also, the Congress party made several compromises with communal elements and its governance was far from ideal in that respect.

Even Jawaharlal Nehru, who was sincerely committed to secularism and was quite critical of communal elements in his own party, did not succeed in putting those elements down firmly. It was not possible for him to have full control of the entire party machine. Communal elements wielded a great deal of influence in it, and no single individual, however strong, could succeed in countering them.

Nehru thought that as education, science and technology spread, people would tend to become more secular and rational. However, social growth is far more complex than this simplistic assumption on the part of Nehru. First, education never spread among the masses, not even primary education, let alone scientific and technological education. The growth of primary education has been painfully slow and tardy. Secondly, though the upper classes had access to higher scientific and technological education, it did not make them secular and rational in their intellectual persuasion. The human mind as well as human behaviour is influenced more by interests rather than by education alone. It is the educated elite who gave birth to the communal problem to safeguard their own political and economic interests.

Also, the education system in India could never rid itself of the trappings of communalism. Even today textbooks are a fundamental source of the communal divide. The Indian ruling classes were as much interested in the communal divide as the British imperialists. The Indian ruling classes used this divide to monopolise the votes of this or that community. Indian democracy, in other words, was manipulated on communal and caste lines by Indian politicians,

which worsened the communal problem. A secular India could be built only if the political parties were thoroughly committed to secularism and honestly followed the provisions of the Constitution.

The Indian state was characterised as a 'soft state' by Gunnar Myrdal in his work *Asian Drama*. It remained soft to communalism also. And the state not only remained soft towards communalism; it also encouraged it, if that paid political dividends. The political role of the Congress in the early eighties was nothing but the exploitation of communal sentiments to win over certain sections of Hindu society. We will throw more light on this later.

There were no communal riots for several years during the fifties, once the Partition riots had stopped, around 1948. However, it proved to be a temporary respite. The Jan Sangh came into existence in the early fifties and the ban on the RSS was lifted soon after it was imposed. The RSS and the Jan Sangh openly preached Hindu communalism which was also subscribed to by a section of the Congress. Nehru was fighting, so to speak, a losing battle against communalism. A virulent outbreak of communal violence took place in Jabalpur in 1962 when Nehru was alive. His own Congressmen in Jabalpur were involved in supporting those who perpetrated the violence. He was just a helpless spectator.

The Jan Sangh not only grew in strength but also became more and more aggressive. The RSS continued its background work of spreading a communal ideology. Nehru, thoroughly shaken by the Jabalpur riots, constituted the National Integration Council (NIC). However, the NIC could hardly play the role of integrator, which could be played only by secular parties such as the Congress. But the Congress, even under Nehru, had no political will to do so. It kept wavering between secularism and communalism. The more the RSS and the Jan Sangh communalised society, the more Congress leaders inclined towards communalism. The result was a series of communal riots in the early sixties in places such as Jamshedpur, Durgapur, Ranchi and different parts of West Bengal, then ruled by the Congress. Nehru's pre-Independence thesis that majority communalism was aggressive and reactionary, and that minority communalism was defensive, proved to be even truer in independent India. In most of the riots more Muslims were killed than Hindus.

When Indira Gandhi consolidated her power in the late sixties after splitting the Congress, she was seen as the champion of secularism, on the one hand, and of the weaker sections of society, on

the other. She did not however champion the cause of secularism and socialism out of deep political convictions, but as a strategy to gain the support of the poor and the minorities. She did emerge as a messiah of these groups and her position soon became formidable in a political sense. Those opposed to her, i.e., the Congress (O), the Swatantra Party and of course the Jan Sangh, struck back and organised massive communal riots in Ahmedabad in 1969. The Ahmedabad riot of 1969 was greater in casualties and in intensity of violence than the Jabalpur riot of 1962. It shook the country once again. More than 1000 persons were killed in the 1969 riots in Gujarat (though they were killed less brutally than in the 2002 Gujarat carnage). This riot of 1969 was aimed at weakening the position of Indira Gandhi. It was the first major step the Jan Sangh took to consolidate its position in Gujarat. It was also the Sangh Parivar's first important move towards capturing power, though it took it more than two decades to finally do so.

The Shiv Sena in Maharashtra, another communal outfit, which subsequently emerged as a major communal party, was formed by a section of the Congress in Maharashtra to oppose the Nehruvian ideology of secularism and socialism. It is alleged that Shri S.K. Patil, the then BPCC President, was behind its formation; S.K. Patil was known for his rightist views. The Sena soon grew beyond the control of the Congress bosses and began widening its political base by spreading communalism. It launched an anti-South Indian and anti-Muslim tirade soon after its formation. However, its anti-South tirade weakened and anti-Muslim attacks became stronger and stronger.

The Bhiwandi riots, in which more than 250 people were killed, were organised by the Shiv Sena in 1970. The Bhiwandi riots also shocked the nation and the Justice Madon Commission, which was appointed to inquire into the riots, published its report in seven volumes, passing strong strictures against the Shiv Sena and also the police for their communalised role in controlling the riots.

The political situation began to change with emergence of the secessionist movement in East Pakistan (now Bangladesh) in 1970. All political parties in India were supportive of the separation of East Pakistan from Pakistan. Thus the ground reality was such that communal violence abated. Mrs Gandhi once again emerged as a great heroine. However, this too did not last long and Jayaprakash Narayan launched his anti-corruption movement against her, which ultimately gave her a reason for the imposition of the Emergency in

1975. Most of the opposition leaders were arrested, including the RSS and the Jan Sangh leaders, and no one was left to organise communal riots. Thus throughout the Emergency, communal peace prevailed.

In 1977 the Emergency was lifted and elections held. Under pressure of events some of the opposition parties merged together to form the Janata Party. The Jan Sangh also opted for this merger and vowed to follow Gandhian socialism and secularism. However, the RSS did not approve of the Jan Sangh leaders' new stance, and a series of communal riots broke out from 1977 to 1979 in places like Aligarh, Varanasi and Jamshedpur. The Janata Party ultimately collapsed in 1979, and the Congress came back to power in 1980 although with a greatly reduced majority. The Muslims did not vote for the Congress this time to the extent expected by the Congress. Mrs Gandhi was upset by the loss of Muslim votes and hence tried to develop a pro-Hindu slant to compensate for the loss of Muslim votes. This, as we would see, proved disastrous as far as the communal situation was concerned.

On the other hand, the Jan Sangh, which had merged into the Janata Party, separated itself, and now re-christened itself the Bharatiya Janata Party (BJP). Since it had accepted secularism and Gandhian socialism while merging with the Janata Party it tried to retain these principles or pretended to do so. But soon it shed its pretences. Apart from its innate communalism the BJP was now also faced with competition in that line from Indira Gandhi's Congress.

Indira Gandhi, as pointed out, tried to court upper caste and middle caste Hindus, thus attempting to usurp the traditional Hindu vote bank of the then Jan Sangh (now the BJP). In 1980 riots broke out in Moradabad and a myth spread that it was Arab money (petro-dollars) which fuelled the riots. A minister in Mrs Gandhi's cabinet gave a statement to that effect. The impression went round that Mrs Gandhi was behind this propaganda that petro-dollars were responsible for the Moradabad riots, and that this was her strategy to court the Hindu vote bank.

Then came the controversial issue of the conversion of some 100 dalit families in Minakshipuram district in Tamilnadu to Islam. All the studies showed clearly that the conversion was due more to the harassment of the dalits by upper-caste Thewars than to any preaching of Islam by Muslim missionaries. Yet, a myth was popularised, supposedly by Mrs Gandhi's machinery and the

Vishwa Hindu Parishad (VHP) working to create a strong constituency among the middle class vocal Hindus, that petro-dollars had been used for the conversions. It is even alleged that Mrs Gandhi used the VHP to promote her agenda among the Hindus. Some journalists told me that she used the Hindu card in Jammu to attract the Hindu votes and she won all the seats in Jammu which was traditionally a Jan Sangh stronghold.

She also allegedly accentuated the Punjab problem and Sikh militancy in order to win Hindu sympathy. It is also alleged that Jarnail Singh Bhindranwale, who set Punjab on fire, was her creation. Thus she was systematically encroaching on the traditional vote bank of the Jan Sangh (now the BJP). This upset the BJP leaders. When elections to the Lok Sabha were held in 1984 after Mrs Gandhi's assassination, the BJP under the presidentship of Atal Bihari Vajpayee got only two seats. Thus further upset the hard-core BJP and now a decision was taken by the leadership of the BJP to promote Hindu militancy to snatch the Hindu vote bank from the Congress.

It was this decision which changed the very nature and intensity of communalism in India and it ultimately saw the BJP in power at the Centre and in states like Gujarat and U.P. This decision of the BJP, it will be seen, had very long term consequences. The Gujarat carnage was also the ultimate result of this new militancy whose guiding principle was named 'Hindutva'.

III: BJP — The New Militancy

After the Lok Sabha elections of 1984 Shri Atal Behari Vajpayee resigned from the presidentship of the party, and L.K. Advani, considered a hawk in the BJP, took over and gave the party a new shape. In this new avatar, the BJP raised new questions which the Jan Sangh had never raised. It even put a question mark on the Nehruvian concept of secularism, and began to attack it as 'pseudo-secularism'. Even while adopting secularism and Gandhian socialism while merging with the Janata Party (JP) it had never raised such questions about Nehruvian secularism.

The BJP now started the strong propaganda that Nehruvian secularism was a sham and was meant only to create a Muslim vote bank. In order to do so it indulged in 'appeasement of Muslims'. The example given for the appeasement of Muslims was the separate Muslim personal law, which allows a Muslim to have four

wives whereas under the Hindu Code Bill of 1956, Hindus can have only one. To undo this 'appeasement' the BJP demanded the implementation of a common civil code.

This demand was further aggravated by the agitation orthodox Muslims launched on the question of what is known as the Shah Bano case. The Supreme Court decided the case of maintenance for a divorced wife in her favour under section 125 of the Criminal Procedure Code (CrPC). This was construed by the Muslim leadership as 'an interference in the Shari'ah law' and the Shari'ah law being divine could not be changed or interfered with. The Muslim leadership, without realising the long-term consequences, launched a very aggressive movement forcing the Rajiv Gandhi government to change the law for Muslims. An Act was passed called the Muslim Women (Protection on Divorce) Act which made section 125 of the CrPC inapplicable to Muslims.

This was a great setback to secularism and angered even committed secularists. The BJP naturally fully exploited the passage of the Bill by the Parliament as an act of appeasement of Muslims. The Hindu middle classes were easily convinced and began to support the BJP demand for a common civil code. Thus the common civil code became a important item on the Hindutva agenda. Unfortunately a secular measure acquired strong communal tones.

When the Muslim Women's Bill was passed Rajiv Gandhi, as a balancing act, had the doors of the Babri Masjid in Ayodhya, sealed under court orders since 1949, opened, so that Hindus could worship the Ram Lalla idol which had been introduced to the Masjid prior to the court order. Rajiv Gandhi's step unleashed another controversy, which was exploited to the hilt by the BJP to increase its vote base. In fact the BJP's political base had so far been restricted to upper-caste Hindus mainly in urban areas, and it found it impossible to come to power, particularly at the Centre, with this narrow urban base. The Ramjanmabhoomi-Babri Masjid controversy opened new vistas for the BJP to exploit.

The BJP chalked out a strategy to use this controversy to expand its political base in rural areas and among lower castes too. Lord Rama is universally respected and worshipped by all Hindus whatever their caste. Thus the BJP saw a golden opportunity for itself, in exploiting this controversy for political purposes. The Ram Lalla idol could bless them with the Hindu votes. The BJP thus launched an aggressive movement for the construction of a Ram temple in Ayodhya, and its cadres went to villages and took out processions of

'worshipped bricks' to be taken to Ayodhya for construction of the Ram temple.

The BJP propaganda easily caught on and began to pay rich political dividends. This whetted its appetite for political power. Thus the decade of the eighties was the most dangerous decade, in which not only did the Nehruvian concept of secularism begin to be questioned, but the communal forces succeeded in consolidating their political base. It was during this decade that a large number of communal riots broke out, particularly in North India. Thus we have a series of major communal riots beginning with the Muradabad riot of 1980. Biharsharif witnessed rioting in 1981, Baroda and Meerut in 1982. In 1983 Nellie in Assam saw a riot in which more than 3000 Bengali Muslims were killed.

Nellie was followed by the Bombay-Bhiwandi riots of 1984. It was the Shiv Sena which was mainly involved in organising these later riots. The Shiv Sena was sulking after it had lost the appeal created by its anti-South Indian campaign and to revive that appeal Bal Thackeray, the Sena chief, thought that the Sena too would use the Hindu card. Sena leaders like Chhagan Bhujbal provoked communal violence in a number of places in Maharashtra such as Panvel, Nashik, Aurangabad etc. in order to establish Sena Shakhas. Thus communal violence was being engineered to consolidate Hindutva appeal wherever possible.

Anti-Sikh riots took place in early November after Mrs Gandhi was assassinated by her Sikh bodyguard. More than 4000 Sikhs were killed in this massacre in which leading Congress leaders were involved. However, that was an exceptional event since it was the first ever riot against Sikhs; no anti-Sikh riot has since occurred. Also, the Congress government at the Centre was involved in organising these riots for the first time.

The anti-Sikh riots of November 1984 were followed by the Ahmedabad riots of February 1985 which continued, in phases, up to October 1986. These riots in Ahmedabad were organised to topple the government of Madhav Singh Solanki, the Chief Minister. Solanki had taken over the reins of government in February 1985 in Gujarat by using the political support of what came to be known as KHAM (i.e., Kshatriyas, Harijans, Adivasis and Muslims). He announced caste-based reservation in government jobs and educational institutions to get the votes of the castes concerned in the 1985 elections. As through his KHAM formula Solanki had tried to exclude the upper caste Hindus from power, the BJP organised the

1985 riots to topple his government. The anti-reservation violence continued until the Solanki Government was finally toppled in October 1986.

These riots, like the 1969 riots of Ahmedabad, further consolidated the position of the BJP in Gujarat. The BJP was systematically focussing on that state, and succeeded in communalising it as never before. Since dalits and backward classes had supported the Congress, the BJP worked among them to win over their support by making them proud of their Hindu identity. Earlier the Jan Sangh and later the BJP used the dalits and tribals to do the job of killing and looting. During the recent Gujarat Carnage in 2002, dalits and tribals were used for this purpose on a very large scale.

The Ahmedabad riot of 1985 was followed by the Meerut riots of 1987, which were followed by the Bhagalpur riots of 1989. Both these places also saw a great number of police atrocities, and much police collusion in killing members of the minority community. In Meerut the police dragged out 23 young Muslim boys from Hashimpura, shot them dead and threw their bodies into a nearby canal. No action has been taken against these murderers so far. In Bhagalpur, Bihar, police took part in violence directly and when Rajiv Gandhi, the then Prime Minister, suspended the police inspector involved, he was gheraoed and made to reverse the suspension order. A police inspector in one of the villages in Bhagalpur district killed many Muslims, buried their bodies in a field and grew cauliflowers over them.

In the 1989 general elections, V.P. Singh and others made seat adjustments with the BJP in order to defeat the Congress. The BJP won 88 seats in that election. Thus the BJP could increase its strength from 2 in 1984, to 88 in the 1989 Lok Sabha. V.P. Singh perhaps made a great mistake by making seat adjustments with the BJP and multiplying its strength in Lok Sabha forty-four fold. The Ramjanmabhoomi movement also helped the BJP gain strength. The final stroke was of course the 'rath yatra' which L.K. Advani, the then President of BJP, took in 1990 on the question of the Ramjanmabhoomi, and which turned into a 'blood yatra' according to an editorial published in *The Times of India*. About 300 riots took place throughout India while the rath yatra was in progress. It was a great tragedy indeed.

The Ramjanmabhoomi movement was fundamentally political in character. It was a clever ploy by the BJP to increase its strength in parliament, a ploy in which it succeeded eminently but at the cost

of thousands of human lives. The Sangh Parivar's ideology has been based, right from the beginning, on hatred and violence. It remained unchecked because of the soft policies of the state. The Congress regime always allowed a long rope and never punished the guilty in communal riots. Inquiry commissions were routinely set up, and their recommendations totally ignored.

IV: The Babri Masjid Demolition and its Aftermath

The Babri Masjid was ultimately demolished in 1992, and P.V. Narasimha Rao, the then Prime Minister, remained a silent spectator. He took no action whatsoever. Even the Central Reserve Police Force stationed 11 kilometres away from the site of the Masjid in Ayodhya was never deployed. The demolition was celebrated by the Sangh Parivar and was followed by outbursts of communal violence in Mumbai, Surat, Ahmedabad, Kanpur, Bhopal, Delhi and several other places. Ahmedabad and Surat were the worst affected by communal violence even then. In Mumbai alone more than 1000 persons were killed. In Surat there was a case of several Muslim women being mass-raped while searchlights were mounted so that all could see the event.

Though there was a lull in communal violence after the post-Babri Masjid riots, Gujarat remained hypersensitive throughout. Every year on occasions like Holi, Basant Panchami and other religious festivals, riots broke out between Hindu and Muslims as a matter of routine, claiming a few lives on every occasion. These incidents usually occurred in the old city areas of Daryapur, Kalupur, Shahpur, etc. These areas are hypersensitive even now. But now even the so-called cosmopolitan areas of Ahmedabad city have become badly affected areas; communal violence has spread to these 'cosmopolitan areas' too.

One important reason for the old city's being hypersensitive is that illicit liquor business is conducted from there; it also contains various gambling dens. Thus the old city is the centre of criminal activities, in which Hindus and Muslims are involved. One Latif, who was a dreaded gangster, was eliminated by the police in a so-called 'encounter'. Muslim criminal gangs have been considerably weakened thereafter, leaving the field open for Hindu gangs. But crime by itself does not explain the frequent bouts of communal violence in Gujarat in general and in Ahmedabad in particular; it is, rather, the politicisation of crime.

The prohibition of liquor in Gujarat has given rise to organised crime centred on liquor smuggling from neighbouring states. This crime needs political patronage. The political patrons in their turn use these criminals for their own political objectives. The criminal gangs work more often than not on communal lines, further aggravating the communal situation in Gujarat, particularly in cities like Surat, Ahmedabad and Baroda which are already communally sensitive cities.

After the BJP captured power in the assembly on its own in 1993, the situation began to worsen further. The Sangh Parivar had, as pointed out before, worked systematically on Gujarat since the early sixties, to make it its fortress. With the 1969 riots the Jan Sangh began to consolidate its position and since then it has never looked back. This is precisely why L.K. Advani began to contest from Gandhinagar, the capital of Gujarat, and Gandhinagar became a safe seat for him.

The Navnirman movement launched by Jayaprakash Narayan in the early 1970s against the corrupt regime of Chimanbhai Patel was also captured by the RSS elements, and Jayaprakash was warned about it. However, he was also so consumed with anti-Congressism that he did not mind taking RSS help for the downfall of Mrs Indira Gandhi. Narendra Modi, now the Chief Minister of Gujarat under whose leadership the recent Gujarat carnage took place, was then an active RSS pracharak and it is said that Jayaprakash Narayan took a liking to him as a dynamic young man.

It is important to note that the RSS and Jan Sangh or BJP never let go any opportunity to increase their influence. And Jayaprakash Narayan provided them an open opportunity to capture the movement. Also, by associating itself with an anti-corruption movement the Sangh Parivar acquired much-needed respectability. Thus it became easier for the RSS to attract more youngsters towards it. The Navnirman movement generated tremendous emotions as Chimanbhai Patel was seen as a symbol of corruption, and the people of Gujarat wanted to overthrow him to end corruption. The RSS fully exploited these sentiments to enhance its prestige among the people.

It was due to these carefully planned strategies that the BJP ultimately seized power to Gujarat. It had also projected itself as a party with a difference and people believed in that image. Of course once it was in power a number of corruption scandals were reported. The BJP derives its support mainly from the trading class.

It is traders, builders and bankers who mainly indulge in corruption and it is through this money that they finance the BJP's electoral funds. So how can the BJP ever provide a clean and non-corrupt regime? But a slogan like 'a party with a difference' appears quite attractive to those fed up with corruption and they are induced to vote for the BJP.

However, once the BJP captured power in Gujarat the VHP and the Bajrang Dal (BD), the most militant outfits of the Sangh Parivar, became very bold and began attacking the minorities openly. They also worked hard to spread their hate-ideology with all the facilities they could get from the state. The first systematic attack began in 1998 on a new target, the Christians (Muslims were the previous target of the Sangh Parivar). They began to terrorise Christians and Muslims and if ever the police intervened the VHP and BD activists would warn them that the government in power was their government, and that policemen would be suspended or transferred if they came to the help of the victims.

The Sangh Parivar had not previously attacked Christians as vehemently as they began to do from 1998. They now raised the issue of conversion and alleged that the Christians missionaries were converting tribals through coercion and fraud. They now burnt copies of the Bible and attacked churches. In Dangs, which is a tribal area in South Gujarat, they attacked churches on 25 December 1998 and tried to terrorise the Christians. (For a detailed report, see 'Violence in Gujarat – Report of the Citizen's Commission', *Indian Journal of Secularism*, Volume 3, No. 2, July-September 1999).

The attacks on Muslims also became vigorous and Muslims were forced to flee from certain villages of South Gujarat for reasons such as the fact that a Muslim boy had married a Hindu girl. A boycott was declared of all Muslims from Bardoli and Randikpur villages for this reason. Many Muslim hotels were either attacked or threatened. A Hindu Jagran Manch was also set up to attack Christians and Muslims. Trishuls (tridents) were openly distributed. Thus a climate of hatred against minorities was systematically created once the BJP came to power in Gujarat.

The recent riots in Gujarat must be seen in this background. The Gujarat carnage did not occur suddenly and simply in reaction to what happened in Godhra on 27 February 2002. The Sangh Parivar thrived politically only through hate politics, opposing everything that went in favour of minorities. And the regional media, which is read by a large number of middle and lower middle class people,

carried news and articles supporting this anti-minority campaign by the Sangh Parivar. Over the years all this has created a certain mindset among the Hindus, who not only question the loyalty of minorities to India, but also consider them to be extreme fundamentalists and fanatics, and the Hindus to be liberal and secular. People with this mindset always maintain that secularism in India owes its existence to Hindus, as Hindus are secular per se, and they can never be fundamentalists or fanatics. Such propaganda has been swallowed uncritically by large number of Hindus under the influence of the Sangh Parivar.

BJP leaders have been saying from every platform that India is secular because of Hindus as Hindus are secular by their very nature. Ironically it is the BJP which has been systematically communalising India. It was more because of the commitment to secularism of leaders like Mahatma Gandhi, Nehru, Maulana Azad and others that India is secular today. Even before Partition the RSS chief Guru Golwalkar was pleading for a Hindu Rashtra. But for leaders like Gandhiji and Nehru, India would not have been secular.

V: The Gujarat Carnage

Thus it will be seen that Gujarat was communally quite sensitive even before the BJP came to power, and it became much more so once the BJP took over and the Sangh Parivar began intensive communalisation of the Gujarat society.

There is one more important phenomenon which has had a great impact on the communal situation in Gujarat. This is the large-scale migration of upper-caste Gujaratis to the UK and USA. These non-resident Indians (NRIs) naturally suffer from an identity crisis and feel rootless in their new countries, and compensate for it by being ultra-Hindu and chauvinistically Indian, more Indian than Indians in India.

It is these NRIs from Gujarat who are liberally financing the VHP. The VHP has established its branches in these countries and is promoting Hindutva politics among them. It holds regular summer camps for the children of these non-resident Indians. Most of them belong to the middle classes in the USA and UK and overcome their rootlessness in that western society through this new identity of Hindutva. As their Hinduism gets diluted in those western societies they vehemently assert their Hinduness through

Hindutva rather than Hinduism. The VHP has been thriving financially mostly because of these NRIs, especially in Gujarat.

One more factor needs to be taken into account to understand the background of the 2002 carnage in Gujarat. The defeat of the BJP in assembly elections in UP and Punjab (where it was in coalition with the Akalis) and Uttaranchal (where it had its own government) and also in bye-elections for two Assembly seats in Gujarat had created a great political crisis for its leaders. The people of these states had rejected the BJP because of its corruption and non-governance. The scandals during the Gujarat earthquake of 26 January 2001, and the collapse of buildings constructed by contractors close to the BJP ministers and their relatives, had further exposed the BJP's tall claims of being a 'party with a difference' and a non-corrupt party. Thus it was losing election after election, and after the defeat in UP, it was particularly worried.

Elections were also due in Gujarat in March 2003, and there were clear prospects of losing those elections. The only trick up the sleeve of the BJP was the polarisation of Hindus and Muslims, and thus the consolidation of Hindutva forces. And the easiest way to do it was to organise communal riots. All indications suggest that the carnage was well planned and executed with finesse. The organisers were waiting only for a spark, and the spark was provided by the burning of sleeper coach S-6 at Godhra early in the morning on 27 February 2002.

It was alleged, to add gravity to the incident, that the burning was planned by Muslim militants and extremists at the instance of the Inter Services Intelligence of Pakistan (ISI). Thus it was projected as a planned act. There were kar sevaks in that bogey who were returning from Ayodhya. 58 of them were burnt alive within minutes of setting fire to the bogey. Even before any investigation was carried out, the conclusion was drawn that it was a planned act.

Subsequent investigations by our Centre for Study of Society and Secularism's research team and also by others, especially by Rajdeep Sardesai, the political editor of NDTV, clearly showed that it was not a planned act but a spontaneous one on the part of some Muslims of Signal Falia, near Godhra station. Even the Railway Protection Force (RPF) in Godhra has written to the Railway Board, discounting the pre-planned conspiracy theory. It says the violence was the result of events at the Godhra station itself on February 27.

It says that actually there was an altercation between the Muslim vendors on Godhra station and the kar sevaks, who refused to

pay for tea and eatables and also were shouting slogans. They also beat up an elderly Muslim vendor and when his granddaughter tried to intervene, the kar sevaks molested her and tried to abduct her. Though the girl could wrest herself free and fled, a rumour spread that she had been abducted by the kar sevaks and taken into bogey number S-6 of the train. Some of those vendors jumped into the compartment to rescue the girl, but the train started. They therefore pulled the chain, and the train stopped near Signal Falia where, after stone-throwing and a heated exchange of words, burning rags were thrown, setting fire to the bogey.

Rakesh Asthana, DIG, CID also confirmed that there was no evidence so far of any larger conspiracy. It is interesting to note that the Gujarat Minister of State for Home, Gordhan Zadaphiya, who was all along insisting on a wider ISI-Pakistan conspiracy, now seems vague on the nature of that conspiracy. 'The investigations are still going on and till they are complete, it's difficult to say anything,' said Zadaphiya.

After the train incident the VHP announced a Gujarat Bandh on 28 February. It was pointed out to this writer by some high police officials in Ahmedabad that the Chief Minister, Narendra Modi, convened a meeting of the police officials and assured them that the Bandh would be peaceful and there was no need to take any special measures. According to this police official the police force thus became complacent. From the later evidence it can be said that Narendra Modi gave false assurances. Either he was party to the conspiracy or was naive enough to believe that there would be no trouble.

On 28 February violence began on a large scale, and by the end of the first day itself more than 100 persons were done to death. Thus violence had broken out with great fury. That it was well planned was obvious from how well-equipped the rioters were with gas cylinders, swords, petrol-bombs and mobile phones besides voters' lists and sales tax details for identifying the Muslim shops. A Muslim businessman told me that those Muslim shops whose owners did not pay sales tax could not be identified and hence were not burnt. Obviously the homework for all this had been done much earlier and very systematically. It could not have been done overnight and Mr Modi's statement that violence subsequent to the Godhra incident was in keeping with Newton's law of action and reaction is not borne out by the events that took place.

First, as an executive head of the state he should not have given statement justifying violence and killing on such a massive scale.

Secondly, the planned nature of the violence, looting, raping and burning was quite obvious. If not the Chief Minister, some cabinet ministers were definitely involved in these operations. Many eyewitnesses pointed out to us that mobs had been led by Haren Pandya, Revenue Minister in the Narendra Modi cabinet (and earlier Home Minister in the Keshavbhai Patel ministry) and Gordhan Zadaphiya, Home Minister in the present cabinet. There were also reports that some ministers like Ashok Bhatt even entered the police control room and gave instructions to the police not to intervene in the situation.

Many eyewitnesses also pointed out that police officials too were leading marauding mobs and many places were set afire in full view of police stations. For example, right behind Shahi Baug Police headquarters, the centuries-old dargah of Wali Gujarati, a prominent Urdu poet and Sufi saint, was bulldozed and a Godharya Hanuman temple set up on the site. The bulldozing operation must have taken quite some time as it was a pucca structure, but no police help was forthcoming to stop the razing of the dargah to the ground. This incident alone is an indication of the role of the police.

Another shocking incident was the burning alive of 39 persons along with Ehsan Jafri, an ex-MP of the Congress party in his bungalow in Chamanpura in Ahmedabad city. Mr Jafri, a prominent personality of the city, kept phoning various authorities, including the Police Commissioner, various politicians he knew, and others, but no police help came. It is said that the matter even went to Mrs Sonia Gandhi who phoned Prime Minister Vajpayee to intervene; yet nothing happened. Ehsan Jafri ultimately met with a violent death along with 19 members of his family and 20 others in the Chamanpura colony. It was pointed out to us by many that Jafri had campaigned against Narendra Modi in his bye-election for the state assembly, and paid for it with his life and the lives of several of his family members.

Even police officials of Gujarat who were Muslims were not safe. Some of them of course were transferred from field duties. Conscientious non-Muslim police officers who actively intervened in the situation and did not allow violence to spread were transferred from field duties to some office work. This was told to us by a very high police official in Ahmedabad, who himself was the victim of such a transfer.

One Muslim Inspector General of Police was threatened by his own Hindu subordinates and had to remove his police uniform to

save himself. A person of the status of a High Court Judge was not safe in his official residence as he was a Muslim. He had to shift, under advice from the Chief Justice of the Gujarat High Court, to a relative's place in a Muslim locality. All this speaks volumes about the role of the police and the nature of the violence in Gujarat.

The worst incident occurred at a slum in the city known as Naroda Patia where more than 100 persons, all poor Muslims, were burnt alive in full view of the police force. Many of the survivors told us that when they went to the police standing on one side of the slum, the police pointed guns at them and pushed them towards the mob. Many Muslim girls and women from Naroda Patia were raped before being burnt alive. One case of a pregnant woman called Kausar was very heartrending. She was pregnant. They ripped her womb with a sword, extracted the foetus and burnt it before burning her.

The Naroda Patia incident alone would put any civilised government to shame. But the Narendra Modi government remained unmoved and did nothing to control the situation. The Government figures show about 100 persons killed in the Naroda Patia incident. But our independent investigation show more than 200 persons were roasted alive. This estimate is based on interviews with survivors.

There are some very important points to be noted about the Gujarat carnage. First, it was not a Hindu-Muslim riot. It was carnage, meticulously organised and executed, directly against the Muslims.

Secondly, though I have investigated all major riots in post-independence India beginning with the Jabalpur riot of 1962 up to the Bombay riots of 1992–93, I have never seen such a furious outburst of violence against Muslims or such meticulous planning and execution.

I have never before seen such police inaction or complicity, though in all the riots police complicity has been more than obvious. In Gujarat, a police officer was even spotted giving petrol from a government vehicle for burning the victims.

I have not seen in any other riot government ministers being accused of leading the mob. Similarly, though we have witnessed government inaction or indifference such as in the 1993 Bombay riots and other riots, we have never seen governmental machinery involved in executing the riots and the Chief Minister justifying it instead of controlling it.

Also, for the first time, a few foreign nationals were killed in such communal disturbances. These foreign nationals were not killed by mistake, as the victims showed their passports to prove that they were British nationals. They were killed deliberately just because they were Muslims.

Also, a first occasion is the fact that the European Union or other European countries (not part of the EU) sent their investigating teams and submitted demarches to the Union Government for failing to save the lives of innocent people.

For the first time, the opposition insisted on debating the issue of the communal violence in Parliament under Rule 184 under which votes are taken after discussion. However, the Vajpayee Government won the vote by sheer numbers though it was strongly censured by the opposition for its failure to act when hundreds of innocent people were being killed with such brutality in Gujarat.

For the first time even industrialists were seriously worried about the damage to the internal economy of the state as well as to its chances of foreign investment as international capital would obviously shy away. Mr Deepak Parekh issued a statement condemning violence in Gujarat.

For the first time, the Confederation of Indian Industries (CII) debated the issue with respect to its impact on the economy of India. Both the leader of the opposition Sonia Gandhi (in its inaugural session) and the Prime Minister, reacting to her statement, in the concluding session, referred to the carnage in Gujarat. It was really unparalleled in the history of the CII.

The Prime Minister Mr Vajpayee not only failed to control the situation but also lost all his credibility by making totally contradictory statements in Ahmedabad and in Goa. He visited Ahmedabad on 4 April, more than a month after the carnage began. He visited Gujarat just for a day and that too when the worst was over. Till then he remained a silent spectator, as if nothing serious was happening in Gujarat.

In Ahmedabad in the Shah Alam camp he asked 'What face shall I show to the world?'. Mr Vajpayee said that Gujarat events were a blot on India which had enjoyed respect and prestige in the comity of nations because of the way in which 100 crore people of diverse religions, cultures and ethnic groups lived together happily, shared their griefs and joys, but never forgot the message of peace and brotherhood. What was happening in Gujarat was not only heartrending but most inhuman and horrible, he said. He also

advised Narendra Modi to follow the raj dharma (rulers' duty towards the subjects).

But in Goa where he addressed a public meeting on 12 April, just a week after his Gujarat visit, after the national Executive meeting of the BJP, he made a complete about-turn, and accused Islam and Muslims of militancy and conflict. He almost echoed the Modi line on Gujarat and used the same language as Modi was using. While referring to the Gujarat carnage he asked rhetorically who had burnt the train in Godhra, thus implying that the Gujarat carnage was just a reaction to the Godhra event.

Adopting the RSS line he accused the Muslims all over the world of being a 'threat to peace and tranquillity'. The Prime Minister said wherever 'there is a Muslim population in the world, the country lives under threat of militancy and terrorism.' He also talked of two Islams, one of compassion and peace and the other of militancy and conflict. It appeared he had deliberately kept a escape route from an accusation of prejudice by talking of two Islams. But while speaking of Muslims he had made no such distinction and had condemned Muslims as a community. When later accused of Islam-bashing, he referred to having spoken of two Islams, but never said that he had condemned Muslims as a whole.

Thus Mr Vajpayee proved to be as much an RSS pracharak as Narendra Modi, though of a crypto variety rather than an open one like Narendra Modi. It is interesting to note that in Goa L. K. Advani appeared to be more moderate than Mr Vajpayee. It is difficult to explain this reversal of their usual roles, but it is certain that Mr Vajpayee appeared far more militant than Mr Advani. Mr Vajpayee had said at a VHP meeting in Staten Island near New York, 'RSS is my soul', and in India also he had said earlier that the construction of a Ram temple at the site of the demolished Babri Masjid in Ayodhya was in keeping with the national sentiment. Thus it is very difficult to call Mr Vajpayee a statesman like Jawaharlal Nehru. Nehru was a real statesman because he was honest to his ideology of secularism and nationalism. He was truly a man of breadth of vision and did not allow his politics to interfere with his vision.

Mr Vajpayee, on the other hand, is basically committed to the RSS ideology, which is rigid and sectarian and hostile to Muslims and other religious minorities. As a Prime Minister, he is required to keep a balance between all religious communities, but as an individual, he really cannot get rid of his RSS roots and hence such contradictions in his behaviour.

As I write this, it is more than 70 days since the carnage began in Gujarat, and still incidents are taking place daily and innocent people are being killed. The Prime Minister's Goa statement encouraged such violence. The BJP, which had promised a 'riot-free India' in its election manifesto, is unfortunately supporting Narendra Modi despite his complicity in the Gujarat carnage, and has stood by him. In fact the Goa meet has clearly shown that the BJP has fully approved of Narendra Modi's policies for tackling the communal situation in Gujarat. Thus there is little chance that peace will prevail there in the near future. Such a situation bodes ill for the country, but the BJP would like many more Gujarats to happen, in order to establish Hindu Rashtra all over India.

ASGHAR ALI ENGINEER

II. Train Incident at Godhra

200+ ON THE HUMAN RICHTER

Kaifee Parshuram

On Wednesday, February 27, groggy passengers were waking up to a warm sunny morning as the Ahmedabad-bound Sabarmati Express pulled into the Godhra railway station off Baroda at 7.20 a.m. Slogans of *Jai Shri Ram* rent the air as the train coming in from Faizabad in Uttar Pradesh and carrying a fair sprinkling of kar sevaks came to a halt. With thoughts of getting home uppermost in their minds, weary passengers alighted for tea and bhajia. Nothing seemed out of the ordinary – the scene was a usual one witnessed at any railway station. Even a confrontation between two vendors and some passengers over a petty matter seemed routine and no one spared it a thought as the train left Godhra after a brief halt.

It must have proceeded barely a kilometre when it stopped in its tracks – someone had pulled the emergency chain. Everyone was irritated at the prospect of a further delay to a train already running behind schedule. But nobody at that point had any inkling of what was to come. Suddenly, a fusillade of stones smashed into the window panes of the second-class sleeper coach S-6 in which the volunteers were travelling.

In coach S-6 as in other bogies, passengers panicked and pulled down window shutters and bolted the doors. Soon burning rags and acid bulbs landed inside the compartment while the mob rained petrol from outside. Within minutes, the coach was blazing and the fire spread to the adjoining coaches. Innocent passengers trapped in S-6 were roasted alive. Of the 58 who perished, 26 were women and 16 children. Forty-three people, including nine women and three children sustained injuries. Twenty of them were admitted to

the hospital. It took two fire-tenders over an hour to douse the flames. By then it was too late.

The news of the torching set all of Gujarat on fire. The situation became even more volatile as rumours that the mob had attacked the Sabarmati Express, kidnapped Hindu women and raped them spread like wildfire. Vernacular newspapers duly splashed the news prominently the next day. Though subsequently scotched by the government, the damage had already been done.

All hell broke loose on February 28, the day the VHP backed by the BJP called for a state-wide bandh. Rampaging mobs in Ahmedabad and other towns and cities resorted to reprisal attacks even as the police turned a blind eye (shoot-at-sight orders were instituted only two days later). Expectedly, the rioters targeted establishments run by Muslims. Their residential areas too became the focus of mob ire. The official death toll was 80 although unofficial estimates put the number of people killed at around 200.

How much the rioting spread can be gauged from the fact that 26 cities and towns including Ahmedabad, Baroda, Rajkot and Surat had to be placed under curfew. Hitherto an urban phenomenon, communal riots this time also spread to the smaller towns and rural areas. The Saurashtra region, which has in the past largely remained aloof, was also sucked into the communal cauldron. Even the highways were not spared. Trucks belonging to the minority community were stopped and torched by irate mobs.

The stories that surfaced at the end of the day were horrifying. None worse than that of former Congress MP Ehsan Jafri who was killed along with his family when a mob entered his house in Ahmedabad's Gulmarg Society. As many as 37 people in the housing society in the predominantly labour area of Chamanpura perished. Police sources now admit that Jafri had made frantic calls to all and sundry, including the police control room, since 9 a.m. seeking help. When the mob began closing in around the house, Jafri opened fire from his revolver in self-defence. But it proved ineffective in the face of mob frenzy. Jafri even rang up local Congress leaders who in turn informed the police but to no avail. According to reports, a police picket of four constables led by an inspector remained silent spectators to the entire incident.

The rest reached the scene two hours after the attack and the fire brigade only three hours later. Ahmedabad police commissioner P.C. Pande lamely opted obstructions on the way as an excuse for their tardiness. Such was the ineffective response of the police that

even when a building opposite the commissioner's office was targeted and set ablaze, the police failed to respond. Finally, it was the mob which stirred the police into action as the police commissioner's office too was pelted with stones.

It could well have been a re-run for those witness to the Bombay riots of 1993. The State Reserve Police sitting idle waiting for orders to act. Inadequate police deployment in sensitive areas. Senior police officials refusing to act on information of rioting in a particular area. And last but not least, a chief minister saying that he was happy with the police action and that the cops could not be expected to be present everywhere. Ironically, despite CM Narendra Modi's all-is-well statement, the Cabinet Committee on Security in Delhi asked the army to be on standby lest the violence escalate.

Ahmedabad by far was the worst-affected city with pinpointed targeting of Muslim establishments, large-scale arson and looting. It was almost as though the mobs were operating to a plan, breaking open shops, business establishments, even paan shops run by members of the minority community. From atop high-rise buildings one could see plumes of smoke rising from innumerable spots cross the city. No part of Ahmedabad was spared, whether it was the labour-class dominated areas of Dariapur, Bapunagar and Meghaninagar or the densely-populated walled city. The posh shopping arcades of C.G.Road and the plush western suburbs too came under attack.

Even the state capital, Gandhinagar, which has never witnessed communal riots till date, got caught in the spiral this time around. The secondary secretariat – also known as the Old Sachivalaya – lay open as mobs just walked in, ordered the employees inside to vacate the premises, attacked and set fire to the government Waqf Board office inside. The office of the Minorities' Finance Corporation in an adjoining building met the same fate. Government vehicles in the high-profile Udyog Bhavan complex which houses the offices of the state public sector corporations were similarly attacked.

VHP activists seemingly working to a plan even targeted the media. A car carrying the ANI team was attacked and burnt while a camera of the Zee News team was smashed and its reporter beaten up. Journalists were being prevented from going into sensitive areas where targeted attacks were on. In some areas of Ahmedabad cable operators were even warned to black out news telecasts.

Though it made the right noises, the state government seemed to be working overtime clogging the news flow. Even seasoned

crime reporters were finding it difficult to get information on the communal violence. The official version when it finally came was aimed at underplaying the incident. While the first official toll was 28, the actual numbers had by then crossed the 100 mark.

That the torching of the Sabarmati Express would trigger off communal violence was evident even on the day the incident happened. Even as firefighters were battling the flames, the news of the attack scorched Godhra town. Angry mobs battled it out on the streets. The police fired in the air and burst tear gas shells but that could not contain the mob fury and curfew was clamped down on the town.

The Sabarmati Express itself, which recommenced its journey, left a bloody trail at all the key railway stations it stopped at. Despite the heavy police presence at Baroda, three people were stabbed at the station. One later succumbed to his injuries. At Anand, the train's next halt, one person was killed. Immediately after the incident, cases of stabbing and arson were reported from Ahmedabad.

Yet despite all this evidence, there are allegations from the common citizenry that the government failed to take adequate preventive steps. When confronted by newspersons over the widespread violence and police inability to act, Modi said that when viewed in the context of the fact that the feelings of five crore people of Gujarat had been grievously hurt by the happenings in Godhra, the administration had succeeded in containing the violence.

Though Modi has been mouthing dubious platitudes, the ability of a CM who hails from RSS ranks to act against a VHP–sponsored bandh had always been suspect. A fast-eroding BJP bastion, Gujarat is considered a stronghold of the VHP which enjoys considerable clout in the state government. This is perhaps a reason why the police failed to act against the rioters. In fact, the lower police cadres obliquely hinted at being told not to act. We're caught between the devil and the deep sea. If we do not act we may be in trouble. But if we do we'll be in worse trouble with people in the government, said a senior police officer on condition of anonymity.

Gujarat has always been a communal tinderbox and even a small spark ignites big trouble. The ghost of Godhra looks set to walk its streets for months.

Outlook, 11 March 2002

TRUTH ABOUT THE TRAIN INCIDENT

KALIM MOHAMMED

The tragic incident of the Sabarmati Express that occurred about 1 km away from Godhra railway station has thrown a question mark to those people who claim to be secular or liberal. Many aspects and facts have been ignored which I would like to bring to your notice. Compartment no S-6 and two other compartments of the Sabarmati Express were carrying the kar sevaks of the VHP. And it was due to these kar sevaks from Compartment no S-6 that the incident occurred. The actual story didn't start from Godhra as is being told everywhere. It started from a place called Dahod 75 km before Godhra railway station. At about 5.30 to 6.00 a.m. the train reached Dahod railway station. These kar sevaks after having tea and snacks at the railway stall, broke down the stall after having some argument with the stall owner and they proceeded back to the departing train. The stall owner then filed an N C against the kar sevaks at the local police station about the above incident. Then at about 7.00 to 7.15 a.m. the train reached Godhra railway station. All the kar sevaks came out from their reserved compartments and started to have tea and snacks, at the small tea stall on the platform, which was being run by an old bearded man from the minority community. There was a servant helping this old man in the stall. The kar sevaks on purpose argued with this old man and then beat him up and pulled his beard. This was all planned to humiliate the old man since he was from the minority community. These kar sevaks kept repeating the slogan '*Mandir ka nirmaan karo, Babar ki aulad ko bahar karo*'. (Start building the Mandir and throw the sons of Babar, i.e. the Muslims, out of the country.) Hearing the chaos, the daughter (aged 16) of the old man who was also present at the station came forward and tried to save her father from the kar sevaks. She kept pleading and begging to them to stop beating her father and leave him alone. But instead of listening to her woes, the kar sevaks lifted the young girl and took her inside their compartment (S-6) and closed the compartment door. The train started to move out of the platform of Godhra railway station. The old man kept banging on the compartment doors and pleaded with them to let his daughter go. Just before the train could move out completely

from the platform, two stall vendors jumped into the last bogey that comes after the guard cabin. And with the intention of saving the girl they pulled the chain and stopped the train. By the time the train halted completely, it was 1 km away from the railway station. These two men then came to the bogey in which the girl was and started to bang at the door and requested the kar sevaks to leave the girl alone. Hearing all this chaos, people in the vicinity, near to the tracks, started to gather [and move] towards the train. The boys and the mob (that also included women) that had now gathered near the compartment requested the kar sevaks to return the girl. But instead of returning the girl, they started closing their windows. This infuriated the mob and they retaliated by pelting stones at the compartment. The compartments adjoining compartment S-6 on both sides contained kar sevaks of the VHP. These kar sevaks got down and started an attack with bamboo sticks on the mob gathered to save the girl. These was like adding insult to injury for the crowd gathered and their anger was now uncontrollable. The crowd started to bring diesel and petrol from trucks and rickshaws standing at the garages at Signal Falia (a place in Godhra) and burnt down the compartment. They didn't bring the fuel from any petrol pump as being reported everywhere nor was this act of burning preplanned as being mentioned by many people but it happened all of a sudden out of sheer frustration and anger. After hearing about this incident, members of VHP living in that area started burning down the garages in Signal Falia, they also burnt down Badshah Masjid, at Shehra Bhagad (a small area in Godhra). Reliable resources who have reported all this information can't be doubted. I would also mention my sources namely Mr Anil Soni and Neelam Soni (reporters of *Gujarat Samachar* newspaper and also member of PTI and ANI have worked hard to dig the true facts and they duly deserve words of praise for their hard work. Mr Soni's mobile number is 009825038152. Res. Tel.no. 02672-43153 and Off. Tel. No. 02672-43152 Fax no. 02672-45999. Due to no proper substantial and circumstantial evidence and the late arrival of the police at the scene of crime the police were frustrated, which resulted in harassment and arrests of innocent local people living in Godhra.

Furthermore the police started blaming the Mayor of Godhra, Mr Ahmed Hussain Kalota for this incident. Mr Kalota who is a member of the Indian National Congress is also a lawyer. This blaming of Congressmen was also done to humiliate, defame and demoralize the Congress. The VHP's plan is to weaken the country

by planning internal conflicts between communities and bring a backwardness of 100 years in the country. Sorry to say but they are carrying out their plans successfully without fear of being stopped by anyone. No one but only the innocents will have to bear the consequences of their plans. It is our humble request and prayer to all the members of Parliament along with the Prime Minister and the entire media circle to try and stop the sparks of a fire which could engulf the whole country in flames, to take some action against the kar sevaks of the VHP, before they get out of hand and to stop harassing the innocents and catch the real miscreants and culprits.

E-mail, 4 March 2002

GODHRA'S REPORT

SOHAIL AHMED

Washington: The train tragedy in Gujarat in which 58 people were killed was not a planned ambush by young Muslims, but an argument provoked by Hindu activists that went out of control, says the *Washington Post*. The *Washington Post* says: 'For two days, as the Sabarmati Express snaked across northern India, some Hindu activists in cars S-5 and S-6 behaved like hooligans. They pulled headscarves off Muslim women. They evicted a family of four in the middle of the night for refusing to join the chants glorifying god Ram. They failed to pay for the tea and snacks they consumed at each stop.'

On February 27, when the train pulled in to Godhra, the reputation of its rowdiest passengers preceded it, the report said in its March 6 edition.

The *Post* says interviews with train passengers, witnesses and police and railway officials suggest the train fire was not a premeditated ambush by Muslims. 'Both sides were at fault. The provocation was there and the reaction was strong. But no one had imagined all this would turn into such a big tragedy' a Godhra police official was quoted as saying.

B. K. Nanavati, deputy police superintendent in Godhra, reportedly said investigation does not support Gujarat chief minister Narendra Modi's contention that the assault on the train was a

terrorist attack. It was not pre-planned. 'It was a sudden provocative incident,' he said.

As the train came to a stop in Godhra, all the elements were in place for a fight. The train was five hours late, largely because the activists' behaviour had forced the train to make several emergency stops, the *Washington Post* says.

Godhra vendors were resolved not to be victimized, the report says, adding that the VHP members too were ready for action. Rocks collected from near the tracks were piled near the doors of their cars. When the Hindus refused to pay for their tea and snacks, several young Muslims jumped on the train as it started to leave the station and pulled the emergency brake chain.

With a piercing squeal, the Sabarmati Express ground to a halt a half-mile from the station, in the middle of a Muslim neighbourhood. An argument ensued, drawing hundreds of residents.

The *Washington Post* quote police and railway officials as saying they did not know who began throwing stones first.

But officials believe after about 10 minutes, one or more Muslims poured a flammable substance on a mattress and ignited it between the S-5 and S-6 cars. A few minutes later, a fire broke out at the other end of the S-5. Within moments, the car was engulfed by flames.

Police officials reportedly said they are not sure how that second fire began.

Nanavati said the Muslims could have set another fire, or the Hindus, trying to respond in kind, might have accidentally sparked a blaze in their own car, which was filled with kerosene and cooking gas. 'It could have been an accident.' Nanavati further said.

E-mail, 9 March 2002

GODHRA REVISITED

JYOTI PUNWANI

When will the Gujarat fire burn out? A first step can be for both communities to apologise to each other. Believe it or not, the religious head of the Muslims in Godhra, where the conflagration began,

has already done this more than once at peace meetings called by the Collector.

But no one in Godhra knows about Maulana Hussein Umerji's courageous act. The Hindus who heard his apology made on behalf of his community did not spread the word. Nor, unforgivably, did the Collector. The local press did not even carry the condemnation of the burning of the Sabarmati Express by a senior Muslim of Godhra, though it was faxed to newspapers on March 4.

That is one reason why, if you ask Godhra's residents why Coach S-6 of the Sabarmati Express was burnt on February 27, the answer will depend on the community you belong to. If you are a Hindu, chances are that you will declare it was a Muslim conspiracy aimed at derailing the Ram Mandir movement, and that not only the much-reviled Ghanchi Muslims, but every Muslim railway employee played his role. Two such Muslim employees have already been transferred out of Godhra while a third stoically waits his turn.

If you are a Ghanchi Muslim (the community which stays near the railway tracks), you will declare that since all eyewitnesses say the fire started inside the coach, it was a conspiracy aimed at creating a BJP wave after the party's electoral defeats and decimating Muslims in the State.

A middle ground does exist, which is probably closest to the truth: that the act was a gross over-reaction to provocations by the VHP/Bajrang Dal at Godhra station itself. But the local press has done its best to prevent this theory from being accepted, by not reporting these provocations despite eyewitness accounts available in the town.

There are Hindus and Muslims who saw bearded tea vendor Siddiq Bakr being assaulted on Platform No 1 by a Bajrang Dal passenger (identifiable by his saffron headband). (Incidentally, Hindu railway employees had only good things to say about this particular vendor.) The two bearded Bohras watching the scene from the overbridge, who ran for their lives after some Bajrang Dal passengers rushed towards them from the platform, are locals. The Godhra press admits to knowing that 17-year old Sophiya Shaikh was pulled towards the train by a passenger who grabbed her from behind and put his hand over her mouth, only to release her when she screamed 'Mummy'.

But it has not, and will not report these provocations. What it does report constantly are unconfirmed reports of plans to blow up Hindu schools in the town, the so-called confession of an alleged

SIMI member on how the Godhra burning was planned, the discovery of mutilated bodies of Hindu women from a mosque near the station. The Chief Minister himself has denied this last rumour, but Godhra's Hindus see his denial as a statesmanlike move to prevent further trouble. Neither the SP or the Collector of Godhra, who maintain that these are false stories, have gone out of their way to announce this to the public.

So low is the credibility of the English press and of private TV news channels among the majority of Hindus, that even when you tell them that you have met Sophiya Shaikh and her story is true, they refuse to believe it. For them, she is as much a plant as the children in refugee camps who speak into TV mikes of their parents being killed in front of them. They are all part of the grand jehadi conspiracy carried out under the leadership of the local Muslim corporators named as prime accused in the incident, a patently political move. Under pressure to find the culprits, the police, who made no arrests on the spot, have picked up Muslims from their workplaces and continue to conduct brutal combing operations. Expectedly, the men have gone underground, while the women have become experts at overwhelming the police. It is almost sure that those arrested will ultimately be acquitted for lack of evidence, while the real culprits will never be found.

What is difficult to understand is why the VHP travellers on the Sabarmati Express, most of whom were from Gujarat, thought they could get away with misbehaving with Muslims at Godhra. Few Gujaratis have forgotten the burning alive of a family of five Sindhis by Godhra's Ghanchi Muslims during the 1980 Sindhi-Ghanchi riots. The town is notorious for communal riots, and the Ghanchis are well-known all over Gujarat and even outside for their aggressive and impulsive reaction to the slightest provocation.

The VHP travellers surely knew that unlike the few Bohras on the platform, and a Shia from Rustompura who travelled in the same train from Lucknow, the Ghanchis would never say 'Jai Shri Ram' when ordered to by them. Nor would they take any assault on their religious identity lying down. The railway police, under pressure for not preventing the burning of the train, openly abuse the VHP for creating a ruckus as a consequence of which innocent passengers died. That the lives of the other Hindu passengers mattered little to the VHP activists is obvious from the fact that they do not even mention those who perished in the fire were but were unconnected with the Ayodhya campaign. Nor do they seem regretful

about being responsible for the ghastly end of so many religious-minded women and children, many of whom were new to the VHP.

For them, the Godhra carnage is primarily a weapon of propaganda which has been so effective that no local Hindu has donated anything for the over 3,000 Muslim refugees from nearby villages, housed in two camps in the town. However, despite the deep resentment among them, Godhra itself has not seen any retaliatory killings, though a lot of Muslim property was destroyed. A major reason is the interdependence of the two sections of Hindus and Muslims who have normally fought each other: the Sindhis who settled here after partition, and the Ghanchis. After two major riots in 1965 and 1980, the Sindhis have managed to rebuild and prosper, and are not interested in becoming cannon fodder for the VHP. Already, the destruction of Bohra shops in the villages has meant massive losses for them as wholesale suppliers. Hence, it was they who took the initiative just this week, to invite Muslim traders into their area with a guarantee of safety. This at a time when old friends refuse to visit each other's areas, and Hindu and Muslim children go to the same school in separate buses under police escort.

But despite the seemingly unbridgeable divide, spend some time with them, and Godhra's Muslims and Hindus tread the middle ground - privately. The Hindus ask how right is it in a democracy to thrust your religious views on a minority. The Muslims mutter that there's a limit to the amount of religious provocation that can be tolerated. When you are pushed too hard, the Devil can take over, and that should not have happened.

The challenge lies in getting them to acknowledge this in public.

The Hindu, 15 April 2002

WHO LIT THE FIRE?

MOHAN GURUSWAMY

With the disclosure of the report of M.S. Dahiya, assistant director of the Forensic Science Laboratory (FSL), Ahmedabad, the question of who lit the fire in coach S-6 of the Sabarmati Express at Godhra on February 27 killing 59 persons has now assumed critical

importance. The report of the FSL, which is now part of the charge sheet, debunks the widely prevalent theory about the coach being set on fire from outside by an angry mob, which had somewhat mysteriously collected outside the Godhra railway station. The report emphatically concludes that the coach was set afire by someone 'standing in the passage of the compartment near seat number 72, using a container with a wide opening holding about 60 litres of inflammable liquid has been poured and then a fire has been started in the bogie.'

The FSL has also conclusively demonstrated by experiments that it was virtually impossible to throw inflammable liquids into the train through the open windows that are at a height of seven feet. The report also states that there was a three feet high mound running parallel to the track at a distance of 14 feet and if the fire bombers were standing on this mound and sloshing the fuel at the compartment only about 10-15 per cent of the fuel would have got inside. Since the rest of the fuel would then have fallen outside there would have been burn damage on and near the track. This was not so. File photographs of the burning coach very clearly show the flames raging from within, and without even the external paintwork being touched. The pictures also show rescuers trying to hose down the flames, standing right alongside the burning coach. Very obviously the coach was set afire from within and whosoever still insists that it was set afire from outside by the licensed mob is lying through their teeth.

This report is incendiary stuff. No sooner it was published by a leading newspaper, the deputy prime minister debunked it. By doing so, he was questioning a professional forensic analysis and seeking to replace it with his political convenience. To sustain itself the BJP government in Gujarat requires that the coach was set afire by a Muslim mob, therefore justifying the open participation of all branches of the Sangh Parivar with the connivance of the state government. Unfortunately, the FSL report is a part of the state's charge sheet and now a part of the record. We now are being treated to deliberately leaked stories that some suspects after being injected with sodium pentothal have confessed to burning the coach. The use of sodium pentothal is considered inhumane and any admission under its influence is not admissible in a court of law. But the issue is not about law and justice any more but about making malicious and untrue propaganda.

The train was chock-a-block with kar sevaks and whosoever was carrying 'a container with a wide opening holding about 60 litres of inflammable liquid' should have been able to mingle freely with the inflamed kar sevaks. If this whosoever was carrying such a container with a wide opening quite openly, he, she or they, would have been known to the other passengers to be able to do so without arousing apprehensions. Remember, the country was in a state of heightened military alert after the December 13 attack on Parliament and it would just not be possible for a stranger to walk into a crowded coach of true believers with a large container with liquid sloshing about.

The train was almost a Rambhakt special and each compartment was concentrated with people from a particular area or belonging to a particular group within the Sangh Parivar, all of whom would have been known to each other. It is, therefore, extremely implausible that a perfect stranger or strangers would have been able to splash the petrol and set it alight and then escape. The killer/killers would have had to be in the adjoining compartment and or be able to alight quickly from the burning compartment without arousing suspicion. Furthermore the train was stopped by pulling the emergency chain and that can only be done from inside. It is now being suggested, once again by carefully planted leaks, that the miscreants entered the coach by cutting through the Rexine cover of the vestibule. Entry in this manner with an open vessel carrying an inflammable fluid is impossible. Even if somehow achieved, it could not be done without spilling the container, in which case there would be burn marks outside. There were none.

It would now seem that the harassment and intimidation of the mostly Muslim hawkers at Godhra railway station was deliberate and aimed at provoking an agitated response. But petty harassment in itself would not have provoked such a disproportionate reaction as torching a train. It would seem that someone wished to take advantage of this reaction and if this was so, the torching of coach S-6 could have been intended to provoke a furious backlash. This seems like a classic agent provocateur operation that went out of hand.

The use of agent provocateurs to create a crisis is not at all uncommon. We see much of it all around. Sometime it is a pig's head that is thrown in a mosque, another time it is a cow's head that is thrown into a temple. Cadre based political parties for which the end justifies all means are especially adept at this. I recall watching

the live telecast on a local channel of a demonstration in Hyderabad against the increase in power tariffs and was struck by the extremely deliberate provocations of a very small group that changed a peaceful gathering into a furious mob causing the police to open fire. The demolition of the Babri Masjid was very clearly perpetrated by just a handful of persons who came prepared to do the job. The record shows that while Uma Bharati and Murli Manohar Joshi were hugging each other in ecstatic joy, a glum L.K.Advani looked on helplessly.

It's not only cadre based political parties that do this. Countries with active intelligence services routinely do this. Intelligence agencies like the American CIA, British SIS, French SDECE, Israeli Mossad, Russian FSB, Chinese GRI, Pakistani ISI and even the Indian RAW carry out such operations quite routinely. Even now Pakistan insists that the January 30, 1971 hijacking of 'Ganga', an Indian Airlines Fokker Friendship aircraft, to Lahore by Hashim and Ashraf Qureshi was an Indian intelligence operation meant to precipitate the termination of over-flights to Dhaka making the link between the two Pakistani halves even more tenuous.

In 1991, a unit of the People's War Group attacked the Kakatiya Fast Passenger at Charlapalli near Hyderabad killing 47 passengers in the blaze set off by them. It took only a small quantity of incendiary material to set off the blaze. One of the attackers was apprehended. Later the PWG issued a statement that the death of 47 passengers was inadvertent and expressed regret for it.

In another incident at 4.30 a.m. on March 8, 1993 in AP's Guntur district two dalit youths, Satuluri Chalapathi Rao (24) and Gantela Vijayvardhan Rao (22), inspired by the plot of a popular Telugu movie, held up an APSRTC express bus from Hyderabad to Chilakaluripet under the threat of torching it. They wanted money to start a business. Things didn't happen as they did in the movie. The passengers panicked and in the ensuing melee the can of petrol dropped in the bus, which in turn had a leaky fuel tank and resulted in an explosive fire. Twenty-two passengers including two children were killed. In both cases, while there was intent to commit a crime, what resulted was not intended.

But it is difficult to imagine that a container with a wide mouth carrying at least 60 litres of petrol was meant to cause just an innocuous incident on the Sabarmati Express. Clearly, there are many questions to be answered, particularly in light of the subsequent events for which even the National Human Rights Commission,

headed by a widely respected jurist, the former chief justice of India, Justice A.N. Verma, found the Gujarat government complicit.

The Chota Sardar in Gujarat is ploughing on remorselessly with his campaign of igniting communal passions and the Bada Sardar in New Delhi just sits there wringing his hands. As he did when the Babri Masjid was demolished. As he did when Hindus were killed in Doda. As he did, when Sikhs were killed in Anantnag. As he did when Christians were killed in the Dangs. As he did when the Red Fort was attacked. As he did when Parliament was attacked on December 13. As he did when BJP, RSS, VHP and Bajrang Dal mobs and a 'complicit' state government went on a rampage in Gujarat. Shakespeare wrote about Lady Macbeth: 'It is an accustom'd action with her, to seem thus washing her hands.' And the Sardars must now wonder as Lady Macbeth did: 'What! Will these hands ne'er be clean?'

Asian Age, 30 July 2002

III. ARTICLES

CRY, THE BELOVED COUNTRY

Reflections on the Gujarat Massacre

HARSH MANDER

Numbed with disgust and horror, I return from Gujarat ten days after the terror and massacre that convulsed the state. My heart is sickened, my soul wearied, my shoulders aching with the burdens of guilt and shame. As you walk through the camps of riot survivors in Ahmedabad, in which an estimated 53,000 women, men, and children are huddled in 29 temporary settlements, displays of overt grief are unusual. People with dry and glassy eyes clutch small bundles of relief materials, all that they now own in the world. Some talk in low voices, others busy themselves with the tasks of everyday living in these most basic of shelters, looking for food and milk for children, tending the wounds of the injured. But once you sit anywhere in these camps, people begin to speak, and their words are like masses of pus released by slitting large festering wounds. The horrors that they speak of are so macabre, that my pen falters in the writing. The pitiless brutality against women and small children by organised bands of armed young men is more savage than anything witnessed in the riots that have shamed this nation from time to time during the past century. I force myself to write a small fraction of all that I heard and saw, because it is important that we all know. Or maybe also because I need to share my own burdens.

What can you say about a women eight months pregnant who begged to be spared? Her assailants instead slit open her stomach, pulled out her foetus and slaughtered it before her eyes. What can you say about a family of nineteen being killed by flooding their

house with water and then electrocuting them with high-tension electricity?

What can you say? A small boy of six in Juhapara camp described how his mother and six brothers and sisters were battered to death before his eyes. He survived only because he fell unconscious, and was taken for dead. A family escaping from Naroda Patia, one of the worst-hit settlements in Ahmedabad, spoke of losing a young woman and her three-month-old son, because a police constable directed her to 'safety' and she found herself instead surrounded by a mob which doused her with kerosene and set her and her baby on fire. I have never known a riot which has used the sexual subjugation of women so widely as an instrument of violence in the recent mass barbarity in Gujarat.

There are reports everywhere of gang-rape of young girls and women, often in the presence of members of their families, followed by their murder by burning alive, or by bludgeoning with a hammer and in one case with a screwdriver. Women in the Aman Chowk shelter told appalling stories about how armed men disrobed themselves in front of a group of terrified women to cow them down further.

In Ahmedabad, most people I met – social workers, journalists, survivors–agree that what Gujarat witnessed was not a riot, but a terrorist attack followed by a systematic, planned massacre, a pogrom. Everyone spoke of the pillage and plunder being organised like a military operation against an external armed enemy. An initial truck would arrive broadcasting inflammatory slogans, soon followed by more trucks which disgorged young men, mostly in khaki shorts and saffron sashes. They were armed with sophisticated explosive materials, country weapons, daggers and trishuls. They also carried water bottles, to sustain them in their exertions. The leaders were seen communicating on mobile telephones from the riot venues, receiving instructions from and reporting back to a coordinating centre. Some were seen with documents and computer sheets listing Muslim families and their properties. They had detailed precise knowledge about buildings and businesses held by members of the minority community, such as who were partners, say, in a restaurant business, or which Muslim homes held Hindu spouses, who should be spared in the violence. This was not a spontaneous upsurge of mass anger. It was a carefully planned pogrom.

The trucks carried quantities of gas cylinders. Rich Muslim homes and business establishments were first systematically looted,

stripped down of all their valuables; then cooking gas was released from cylinders into the buildings for several minutes. A trained member of the group then lit the flame which efficiently engulfed the building. In some cases acetylene gas, which is used for welding steel, was employed to explode large concrete buildings. Mosques and dargahs were razed, and were replaced by statues of Hanuman and saffron flags. Some dargahs in Ahmedabad city crossings have overnight been demolished and their sites covered with road building material, and bulldozed so efficiently that these spots are indistinguishable from the rest of the road. Traffic now plies over these former dargahs, as though they had never existed.

The unconscionable failures and active connivance of the state police and administrative machinery is also now widely acknowledged. The police is known to have misguided people straight into the hands of rioting mobs. They provided protective shields to crowds bent on pillage, arson, rape and murder, and were deaf to the pleas of the desperate Muslim victims, many of them women and children. There have been many reports of police firing directly mostly at the minority community, which was the target of most of the mob violence. The large majority of arrests are also from the same community which was the main victim of the pogrom.

As one who has served in the Indian Administrative Service for over two decades, I feel great shame at the abdication of duty of my peers in the civil and police administration. The law did not require any of them to await orders from their political supervisors before they organised the decisive use of force, to prevent the brutal escalation of violence, and to protect vulnerable women and children from the organised, murderous mobs. The law instead required them to act independently, fearlessly, impartially, decisively, with courage and compassion. If even one official had so acted in Ahmedabad, she or he could have deployed the police forces and called in the army to halt the violence and protect the people in the matter of hours.

No riot can continue beyond a few hours without the active connivance of the local police and magistracy. The blood of hundreds of innocents is on the hands of the police and civil authorities of Gujarat, and by their sharing in a conspiracy of silence, on the entire higher bureaucracy of the country. I have heard senior officials blame also the communalism of the police constabulary for their connivance in the violence. This too is a thin and disgraceful alibi. The same forces have been known to act with impartiality and

courage when led by officers of professionalism and integrity. The failure is clearly of the leadership of the police and civil services, not of the subordinate men and women in khaki who are trained to obey their orders.

Where also, amidst this savagery, injustice, and human suffering is the 'civil society', the Gandhians, the development workers, the NGOs, the fabled spontaneous Gujarati philanthropy which was so much in evidence in the earthquake in Kutch and Ahmedabad? The newspapers reported that at the peak of the pogrom, the gates of the Sabarmati Ashram were closed to protect its properties. It should instead have been the city's major sanctuary. Which Gandhian leaders, or NGO managers, staked their lives to halt the death-dealing throngs? It is one more shame that we as citizens of this country must carry on our already burdened backs, that the camps for the Muslim riot victims in Ahmedabad are being run almost exclusively by Muslim organisations. It is as though the monumental pain, loss, betrayal and injustice suffered by the Muslim people is the concern only of other Muslim people, and the rest of us have no share in the responsibility to assuage, to heal and rebuild. The state, which bears the primary responsibility to extend both protection and relief to its vulnerable citizens, was nowhere in evidence in any of the camps, to manage, organise the security, or. even to provide the resources that are required to feed the tens of thousands of defenceless women, men and children huddled in these camps for safety.

The only passing moments of pride and hope that I experienced in Gujarat, were when I saw men like Mujid Ahmed and women like Roshan Bahen who served in these camps with tireless, dogged humanism amidst the ruins around them. In the Aman Chowk camp, women blessed the young band of volunteers who worked from four in the morning until after midnight to ensure that none of their children went without food or milk, or that their wounds remained untended. Their leader Mujid Ahmed is a graduate, his small chemical dyes factory has been burnt down, but he has had no time to worry about his own loss. Each day he has to find 1600 kilograms of foodgrain to feed some 5000 people who have taken shelter in the camp. The challenge is even greater for Roshan Bahen, almost 60, who wipes her eyes each time she hears the stories of horror by the residents in Juapara camp. But she too has no time for the luxuries of grief or anger. She barely sleeps, as her volunteers, mainly working class Muslim women and men from the

humble tenements around the camp, provide temporary toilets, food and solace to the hundreds who have gathered in the grounds of a primary school to escape the ferocity of merciless mobs.

As I walked through the camps, I wondered what Gandhiji would have done in these dark hours. I recall the story of the Calcutta riots, when Gandhi was fasting for peace. A Hindu man came to him, to speak of his young boy who had been killed by Muslim mobs, and of the depth of his anger and longing for revenge. And Gandhi is said to have replied: If you really wish to overcome your pain, find a young boy just as young as your son, a Muslim boy whose parents have been killed by Hindu mobs. Bring up that boy like you would your own son, but bring him up with the Muslim faith to which he was born. Only then will you find that you can heal your pain, your anger, and your longing for retribution.

There are no voices like Gandhi's that we hear today. Only discourses on Newtonian physics, to justify vengeance on innocents. We need to find these voices within our own hearts; we need to believe enough in justice, love, and tolerance.

There is much that the murdering mobs in Gujarat have robbed from me. One of them is a song I often sang with pride and conviction. The words of the song are:

'Sare jahan se achha Hindustan hamara'. It is a song I will never be able to sing again.

Milli Gazette, 1-15 April 2002

A MYSTERY OF MODERN INDIA

M J AKBAR

A child born in the year that Rajiv Gandhi became Prime Minister of India would have the right to vote today. A child born in 1985 would vote in the next general elections. He would be 17 today.

In 1985 the Supreme Court of India decided in favour of an elderly and unknown Muslim divorcee from Indore, the daughter of a head constable, Shah Bano, who had been asking for seven years in lower courts for just five hundred rupees from her husband as maintenance. She thought this amount reasonable compensation from a man who had been her husband for 43 years, before divorc-

ing her in order to marry again. The Supreme Court agreed. The husband felt otherwise; he argued that according to his interpretation of Muslim law he had paid his wife the *mehr* and *idda* (maintenance for three months) that was due. The Supreme Court ruled that under the Constitution a former husband had to provide reasonable support to a divorcee if she had no means of supporting herself.

The news first appeared on the edges of the media. Then, gradually, it began to acquire ballast. A section of the country's self-appointed Muslim leaders thought they had found a route map back to relevance. This judgment, instead of being addressed with a sense of responsibility, was turned into a weapon to challenge the Constitution of India. There is sufficient space in Islamic jurisprudence for interpretation according to changing norms in social law: every Muslim country has made place for reinterpretation in its legal code. Certain Muslim leaders, notably Syed Shahabuddin and the ever-present Shahi Imam (father of the present incumbent) decided that the proper response to the Supreme Court was hysteria designed to provoke a virtual revolt of Muslims against the Indian state. It was as unprecedented as it was artificial. Shahabuddin consciously used the language and idiom of separatism, while the clerics dusted off that old and paradoxical cry that Islam was in danger. (This is paradoxical because, for the believer, faith cannot be in danger from men.) Large rallies were held where the rhetoric was acid, the provocation severe and the intention vicious. But what left the country aghast was the slow retreat and sudden capitulation by the Congress government of the still inexperienced Rajiv Gandhi under this hysterical assault. In May 1986 the Congress forced through what was called, without irony, the Muslim Women (Protection of Rights on Divorce) Bill. Trying to balance appeasement of fanatic Muslims with appeasement of fanatic Hindus, Rajiv Gandhi, apparently advised by his friend and relative Arun Nehru, reopened the locked gates of the spot known as the Babri mosque. If L.K. Advani, whose party, the BJP, had been reduced to two seats in 1984-85 Lok Sabha (even Atal Behari Vajpayee had been defeated, in Gwalior) had beamed at that point, he would have been fully justified. He now decided to teach the government of India, which had bowed to Muslim fundamentalists, just how powerful Hindu hysteria could be. Long after Shah Bano has been forgotten the drums of Ayodhya still resonate through the life and blood of our country.

That child of 1985 has been weaned on the idiom of the Hindu-Muslim conflict, and nothing else, ever since he was born. A child born in 1947 would certainly have heard of the terrible riots of Partition in family stories, and perhaps seen the pain in his parents' eyes, but there was also the heady ideology of socialism in the air as he grew up anywhere in the country. Idealism had options in the 1960s, from the khaddar band of Ram Manohar Lohia to the crimson violence of the Naxalites. There were political and economic causes to stir the young in the 1970s, for democracy and an equitable society. But from the 1980s Indians have heard nothing but the sound of communal violence, whether in the brief but powerful secessionist movement in Punjab; in the horror of the anti-Sikh riots and the continuing waste and desolation of the Hindu-Muslim conflict, a confrontation over many battlefields; in sectarian caste wars, or in the dull thud of the daily toll from Kashmir. Those children of sixteen and seventeen, propelled by masterminds filled with hate, are spreading terror in Gujarat today. They have fed on this diet for so long that they know no other. This is a generation that has lived through two decades of darkness punctuated by the flash of sword, fire and gunshot. It is a time in our history when the living feed off death.

To an extent this dance of necromancers is a puppet show, but the masters pulling the strings are not only invisible but also intelligent. The trick is not to pull the strings, or perhaps to have no strings at all. All that the puppeteers have to do is clear the stage and allow free space for havoc to reign over a specified period of time. Two days is generally considered sufficient for hate to exhaust itself. Gujarat's chief minister Narendra Modi extended his patronage to the 'sentiment' of those who sought vengeance against Muslims everywhere for what some Muslims had done in Godhra. And since those fanatic killers at Godhra had used fire, so the revenge had to take the same form even as the message was sent to every Muslim community in the whole state: we shall leave the charred ash of your bodies everywhere to teach you the meaning of your insolence. To be fair to Narendra Modi, he is not the first politician to use a blind eye. Congress prime ministers and chief ministers have repeatedly had other things to do when the wind they had sown turned into fire-laden whirlwinds. The most notable example still remains the imperturbable P.V. Narasimha Rao who could not be perturbed when the Babri mosque was being destroyed. He remained a picture of stoicism during the riots of 1992 and 1993,

which must rank as the worst in terrible history. The Congress played this game through duplicity; the BJP plays it straight. The Congress had to pretend to be secular and show concern for Muslims since it wanted their vote. The BJP knows that it cannot get the Muslim vote and so uses any opportunity to consolidate such elements of the Hindu vote as can be turned in its direction. One week ago the BJP chief minister was struggling to win a bye-election in Gujarat. Today, thanks to the appalling crimes of Muslims at Godhra and rampant, killing Hindu mobs in Ahmedabad, Vadodara, Rajkot, Mehsana, Surat and a dozen other places, the BJP would be happy to consider any form of election in the state. You reward 'sentiment' and 'sentiment' rewards you. Little wonder that the BJP has sent official congratulations to chief minister Narendra Modi for doing an excellent job in the political management of 'sentiment'. Since the ultimate vindication in a democracy is the approval of the ballot box, no one argues with a potential winner. The means are irrelevant to the end.

Here is a suggestion for chief minister Narendra Modi and all his successors: please end prohibition in Gujarat. Gujarat is the only state in the country that still persists with the formality of what was once a national obligation. It does so, they all explain, out of respect for a great son of the soil, Mohandas Karamchand Gandhi. Is this what the Mahatma wanted to be remembered for, his prohibition policy? Gujarat has flouted every other message of the Mahatma, has shredded the spirit of that great soul at every level among the people as well as the administration. Why should the government show such deference to one comparatively minor element of the Gandhian philosophy when it has no respect for anything that the man did or represented? Why should the people want any law because of Gandhi? They have forgotten him as well. Did the mobs who turned the last few days into a nightmare think that they were the heirs of Bapu?

Maybe a small test would illustrate the point. Do a test among those who were born in the year that Rajiv Gandhi became Prime minister or even go back to the year that Shah Bano filed her petition against her husband in a local court of Indore under the Prevention of Destitution and Vagrancy Act, 1978. Ask them: 'Who was Bapu?' If one of a hundred knew the correct answer I would be surprised. The brighter ones might answer Indira Gandhi; and Rajiv Gandhi would be familiar. But ask them who was Mohandas Karamchand Gandhi, born in 1869 (the year the Suez Canal was

opened) in the city of Porbandar in Kathiawar. The answer will tell you why so many questions hang over India.

The Asian Age, 3 March 2002

BURNT BEYOND RECOGNITION

Gujarat was on fire while two governments fiddled

KULDIP NAYAR

They couldn't make out a Hindu from a Muslim. They cried when they were hungry and laughed when they were fed. And how secure they felt in the lap of their mother. Nobody saved them, nobody could, not even their mother. They were burnt alive, some 50 children in Gujarat, their cries muffled by a rush of fire. They were India's tomorrow, which lies in ashes, beyond recognition.

What is recognisable is the religious frenzy. It is familiar. I have seen its ugly face during Partition when I travelled from my home town, Sialkot, to Amritsar. Hindus killed Muslims and Muslims killed Hindus. There were the same pain-etched faces in both communities—men and women, fearstricken, with their belongings huddled on their heads. Even then, the children were burnt or cut into pieces. There is something pathetic about us in the sub-continent. Children and women are our first target. Is it because they cannot retaliate? Or is it because in killing the weak we feel brave?

Even during the Partition riots, the authorities were the worst culprit. They were divided on the basis of religion. There is no difference even after so many years. With all their pledges to uphold the Constitution, which says in its preamble that India is a secular, democratic republic, government officials are generally contaminated. Religion, not duty, comes first.

Gujarat has witnessed scores of instances where the police force has connived in the rioters' violence. It did not act because that would have meant punishing members of its own religion. The police chief had no compunction in saying that his men were affected by 'the milieu'. When protectors themselves get involved, the fate of victims can well be imagined. And Chief Minister Narendra Modi defends a force which the BJP government saffronised long ago.

The army was called in, but late. For two whole days the BJP-led government at the Centre kept saying the army had been alerted when it should have been out there on the streets. The Congress government had done the same thing in 1984 following Indira Gandhi's assassination. The army was not called when it should have been. Three thousand Sikhs were butchered in daylight. Understandably, Home Minister L.K.Advani did not go to Gujarat. But George Fernandes, who did, did not speak a word against the failure of the government. In fact, his rationalising of the delay in stationing the army was indefensible.

The fact is that the BJP government in Ahmedabad and the BJP-led government in Delhi failed miserably. Both in anticipating the disaster and in dealing with it. They allowed the extremists to take the law into their hands. No person would condone or justify the Godhra incident, where fundamentalist Muslims burnt 54 men, women and children in a train compartment. But the government should not, in any way, appear to treat what has followed the attack at Godhra as a natural human reaction or backlash.

Chief Minister Modi should have submitted his resignation for the failure to control the situation. He should do it now. If not, the Centre must dismiss him. For lesser reasons, state governments have been asked to quit. Why not the Modi government? The Centre, blatantly partial, is ruled by the NDA, a coalition of 24 parties, not by the BJP alone. Where is Chandrababu Naidu, of secular credentials fame? He is conspicuous by his silence.

Something has gone wrong with Gujarat. The state where Mahatma Gandhi, an apostle of Hindu-Muslim unity, was born and where his Sabarmati Ashram still radiates gentleness and peace, is today a communalised cauldron. It is unbelievable that the state which touched sublime heights during Gandhi's Dandi march sank to such ridiculous depths as when L. K. Advani led a rath yatra from the Somnath temple.

In fact, Advani's yatra marked the beginning of the assault on India's secular polity. It sowed the seeds of hatred. The nettle of communalism was the natural growth. The tragedy is that leaders like George Fernandes, Sharad Yadav and Ram Vilas Paswan, who once stood against militant Hindutva, are now the loyal servants of the BJP. Such duplicity of secular elements has only strengthened the communal forces.

India's struggle for independence was secular in character. Hindus, Muslims, Sikhs, Christians and Parsis, all fought shoulder to

shoulder. Despite the parochial approach of the Muslim League, the then Congress was nationalist in its attitude. Khan , the frontier Gandhi, Maulana Abul Kalam Azad and Sheikh Mohammed Abdullah, the Kashmir Gandhi, fought as bravely and relentlessly against English rule, as did Gandhi, Jawaharlal Nehru, Sardar Patel and Subhash Chandra Bose.

Had the Hindu Rashtra been India's aim, it would have established it after winning independence. With the 80 per cent Hindu population in the country, there was nothing to stop it from doing so. Instead, the most democratic and secular constitution was adopted. That represented the ethos of our national movement and what India stood for.

I recall when I was briefly Indian High Commissioner at London; I met Margaret Thatcher, then UK Prime Minister, after her return from Moscow. She said that Gorbachev told her the Soviet Union was slipping from his hands. Thatcher told him to go to India and learn how people there had lived together for centuries despite differences of religion, region and language. She asked me if I could explain such a phenomenon.

I told her that we in India did not think that there was only the black and white. We believed there was a grey area. We were extending the grey area all the time. A spirit of tolerance and accommodation guided our society. I wonder what I would have told her after the carnage in Gujarat. The job of missions abroad must be much more difficult because of the briefing by the BJP-led government.

The Indian Express, 4 March 2002

SUNSET OF COMMUNAL POLITICS

SWAMI AGNIVESH & VALSON THAMPU

Success turns into a snare when the temptation to repeat it ever so often is not resisted. L.K.Advani is right in his assertion that the BJP prospered only because of the mandir movement. But much water has flowed under the bridge since December 6, 1992. And it would be suicidal for the BJP to overlook the message, loud and clear, from the recent Assembly elections especially in Uttar Pradesh. Between Kargil and now, the Indian voter has come a long

way. He has had enough of this communal claptrap. The mandir as an electoral milch cow has had its day. Not even the genius of an Advani can make it yield again.

The electoral seductiveness of communal politics has been grossly exaggerated all along. What has been appealing to the voters in recent years is not so much the prospect of crafting a Hindu theocracy but the heady excitement of the Ayodhya movement which relieved, for a while, the sense of stagnation and drift that afflicted especially the youth. What they hailed was not the triumph of one religion over another, but the emergence of a political alternative with a difference. The Indian voter still cares for his religion. And that is precisely the problem that confronts the BJP today. Those who love and value their faith cannot be a party to its repeated exploitation for ulterior gains.

If communalism ever had the kind of mass appeal it is today claimed to have, the Jan Sangh would not have had to reinvent itself as the BJP professing faith in its own version of secularism. Events in the recent past are a tribute to the unerring secular instinct of the Hindu mind, which it would be unwise for the BJP to belittle. The BJP could not have ruled at the Centre if it had not put on the mukhota (mask) of secularism and abandoned its communal agenda for a while, as amply proved by the 13-day innings of the Vajpayee Government at the Centre when there were no takers for seats of power in the hall of communal politics. The decline of the Congress (I) started with the blurring of its secular image. In contrast, leaders such as Laloo Prasad Yadav and Mulayam Singh Yadav have maintained and consolidated their political power-base largely because of their commitment to secularism. It was Laloo Yadav's boldness in stopping the Rath Yatra that turned him into a folk hero in Bihar. The plight of the BJP today illustrates the self-contradiction inherent in every ideology of negativity. While the Babri Masjid stood, it symbolised the contrived grievance of a section of Hindus against the Muslims on account of what their ancestors were alleged to have done .in the twilight of history. Admittedly, it is a grievance the merchants of hate have manipulated with consummate skill and considerable profit for a period of time. The destruction of the Babri Masjid, however, burst the bubble of this exhumed pseudo-grievance. After the destruction of the mosque, the manipulated resentment of the pro-mandir masses turned slowly into bitterness against their own manipulators who did not know how to conceal either their precipitous affluence or

their glee at being able to convert the gullibility of the people into a political windfall, Not surprisingly, while Lord Ram's temple continued to be electorally exploited, the country itself was degraded into a den of corruption literally on a war-footing. Only those capable of monumental cynicism about the common sense of the common man could have expected this honeymoon of hypocrisy to continue forever. Uttar Pradesh, Uttaranchal and Punjab were, in other words, just waiting to happen. The sincere Ram bhakts are neither amused nor fooled any longer.

For the politics of hate to survive, it is imperative that the catalytic symbol of hate stands. Yet, to prove its virility, this symbol needs to be attacked and brought down, as the mosque was. But this very success is also its defeat; for the catalyst of grievance ceases to exist. It is this realisation that accounts for the ambivalence in Mr Advani's averments before the Liberhan Commission. With equal sincerity he gloated over the Ayodhya movement and grieved over the destruction of the mosque. What unmasks the true face of a communal project is its success in reaching the seat of power. Having developed only the genius of negativity, its proponents find themselves out of their element vis-à-vis the task of governance. What people expect from a party in power is different from what they demand from an Opposition party. People expect a Government to deliver the goods, as is proved by the anti-incumbency factor. But as long as a party does not shed its communal blinkers, it cannot evolve or embrace a positive vision for society.

So far the BJP think-tank has covered up this bankruptcy in governance by improvising emotionally-charged hypes one after the other as the opium of the masses. The anti-terror agenda was virtually turned into a national cult, no doubt encouraged by the electoral gold mine that Kargil proved to be. Both Kargil and the December 13 attack on parliament should have gone against the NDA Government for in both instances the Government's inability to act in time on the intelligence available precipitated the crises. Both were custom-made situations for the opposition parties to hold the Government to account. But that did not happen. What happened, instead, that the BJP managed to annex the political space of the Opposition. The ruling party hogged the limelight of national grievance! The Opposition's mouth was sealed, but not the mind of the voter. Now he has spoken.

It would be an unmitigated disaster for the country if the Sangh Parivar were to respond to this reality in terms of another commu-

nal avalanche, as events in Gujarat and Uttar Pradesh seem to portend. To sow the winds of a communal bloodbath for ulterior gains at this time will be to reap the whirlwind of political extinction. Already an economic time bomb is ticking at the foundation of our country. The bewilderment and frustration of the masses has reached unprecedented proportions. It would be a monumental folly to push the country now into avoidable anarchy.

The near-total extinction of statesmanship in politics and prevalence of negative and divisive ideologies that degrade elections into opportunities only for kicking out crooks and creators of political shenanigans from the seats of power are pathological symptoms that point to our collective decay. The silver lining though, is that the people are now waking up to their right to have a better quality of life. This bottom-up pressure could pave the way for the emergence, sooner or later, of a new political culture. It is imperative for the people to take a firm and final stand on the side of secularism and responsible governance. The merchants of hate and hurt need to be shown to the lumber-room of history where indeed they belong.

The Hindu, 5 March 2002

THE GUILTY MEN OF AHMEDABAD

HARISH KHARE

Ahmedabad has been there before. The city is no stranger to violent conflicts. 1969, 1981, 1985, 1990 and 1992. But 2002 is different, fundamentally different. Plainly put: This time the state administration has turned rogue. Never before has a State Government been so guilty of siding – emotionally, politically and administratively - with the rioter as happened in Ahmedabad and the rest of Gujarat for three days. Never before, perhaps not even in 1984, has the line between the administrator and the arsonist got so blurred and so deliberately. If the violence has tapered off it is only because the vandal has run out of incendiary energy. There are three obvious reasons for this collapse of state authority in Gujarat.

First, the presence of an activist kar sevak in the Chief Minister's post. Narendra Modi was rewarded with the Chief

Minister's post because of his famed 'dynamism'. There was and continues to be an inherent conflict between his training and political persona as a grand kar sevak, and his constitutional role and obligations as a Chief Minister. In fact, by training and experience Mr Modi was best equipped to deal with the post-Godhra carnage situation. After all, he is the best known product of the Hindutva school in Gujarat and is well-versed in the art of calibrating violence. As Chief Minister, Mr Modi could have anticipated – and mobilised his administration to frustrate – every single move the so-called 'angry Hindu Community' made after the Godhra incident. But he preferred to be a kar sevak and wilfully ignored his constitutional obligations. No wonder then that Ministers and ruling party legislators could with impunity lead the mobs in their murderous forays.

Second, there was this inexcusable abdication by the administrative and police hierarchy of its professional duties. Senior IPS and IAS officers have blood on their hands. In particular, the Director-General of Police and the Ahmedabad Commissioner of Police are guilty of connivance with the rioter because the two of them simply did not have the courage of the uniform they wear to tell the Chief Minister that his 'illegal' orders would not be complied with. Had the DGP walked out of his office rather than allow his police force to be enlisted in the cause of teaching a lesson to a section of society, the state-sponsored violence would have simply not taken off. Just a minor outbreak of professional conscience and an intellectual awareness of statutory authority would have stymied the revenge-brigade's appetite for retribution. Or take, for instance, the excuse that the Army could not be out on the streets earlier because it took time to find the magistrates to accompany the soldier's column. This in a regime that preens itself as a 'nuclear power'. No doubt a judicial commission, sooner or later, would have to fix the culpability of these IAS and IPS officers.

And, third, the political and constitutional ambivalence in New Delhi towards the events in Gujarat. Both the Prime Minister and the Home Minister failed the nation. Mr Vajpayee watched helplessly as Mr Modi treated him as nothing more than a Bahadur Shah Zafar, to be respected but not to be heeded. And, Mr Vajpayee himself behaved like a Bahadur Shah Zafar. The nation did not hear for the first 48 hours how the Prime Minister was reacting to the news of medieval barbarity and of the State administration's procrastination. And, when Mr Vajpayee did speak up, he was more

sad than angry that a State Government could so besmirch India's name, bringing this country on a par with the Taliban.

Not to be left behind is Lal Krishna Advani. As Home Minister, he must have been getting the ubiquitous 'intelligence' reports on how the kar sevaks were being a nuisance on their to and fro journeys to Ayodhya: as an administrator he was obliged to alert the law and order machinery throughout the country to the potential of a violent eruption like the one that took place at Godhra. But, in his ambivalent mind, the kar sevak can do no wrong. This thinking percolates down the line, and the police and intelligence officers turn off their antennae.

Then on February 27, Mr Advani found himself constrained to issue an uncharacteristically categorical and blunt statement, telling the VHP crowd that as Home Minister he was obliged to uphold law and order and enforce the law of the land in the matter of the Ayodhya dispute. This resolve simply melted into thin air when his party men began organising collective retribution for the Godhra massacre; throughout those four violent days the Union Home Minister forgot his constitutional obligations. On the Contrary, he acted as if he found nothing amiss in a State administration treating a section of society as hostile elements. This is the same regime that only a few months ago became hyperactively aware of its obligations under Article 355 that ensure that Government in Tamil Nadu was carried on in accordance with the Constitution. The same Law Minister, the same Home Ministers are now busy finding excuses for Mr Modi.

Because of the dereliction of duty in Gandhinagar and the ambivalence in New Delhi, the Indian state has not only lost its sheen but also stands depleted considerably of its legitimacy. Unless the ruling establishment is compelled to rectify its mistakes, we would be taking the first irreversible step towards a civil war. In fact, in his clarificatory statement (of the we-do-not-need-the-Muslims'-vote fame) of February 21, the Prime Minister had reported verbatim his Varanasi speech (of February 19): 'Our government is there at the Centre. There has been no discrimination, there is no insecurity – we have treated all sections of society equally. Moreover, there is the Constitution; a Human Rights Commission has been set up: there is the judiciary; and, there are newspapers. If there is any justice against anybody, then that injustice can be removed by recourse to these institutions.'

Mr Vajpayee's own prescription would have to be applied against the Modi Government. In particular, the Vajpayee establishment

could initiate steps to punish those senior officers who connived, directly or indirectly, in the systemic violence. The bureaucratic leadership itself must generate sufficient peer pressure to blackball those officers who give in to the political leaders' criminal demands. The PMO must find ways and means to send out a signal to the IPS/IAS cadres that promotions, postings and pensions can be denied to those who flirt with administrative illegality. This message is the minimum requirement and has to be heard and heeded in every State capital.

Moreover, the Prime Minister and others have to realise that 'Ahmedabad' has undermined the minorities' faith in the constitutional arrangement. And though the sense of insecurity in a section takes its own toll and complicates the task of governance, the frightening development is the gathering belief in the BJP that there may be rich electoral dividends after all in Gujarat's State-blessed dance macabre. Cultivated lawlessness is an antithesis to governance and peaceful conduct of collective affairs.

The Hindu, 7 March 2002

BOOT OUT NARENDRA MODI

PRITISH NANDY

When the Sabarmati Express was set on fire on February 27, I was outraged. Over 50 Ram sevaks were savagely burnt to death. Many innocent passengers died. But what angered me most was the way Gujarat Chief Minister Narendra Modi blamed the Godhra carnage on Pakistani terrorists. He had, at least at that point of time, not the slightest evidence to back his charges, but he persisted with them. To point the needle of guilt away from his own total incompetence.

Things, however, became much worse when the communal riots began. Instead of trying to stop the rioting, which he could have easily done, Modi deliberately and with the cold-blooded precision of a mass murderer, allowed them to spread till more than 600 people were killed. The reason? He was pandering to his constituency. He wanted to show his party and those who had voted him to power that he was punishing the Muslims for Godhra.

So he set aside his image as this effete, incompetent chief minister and became an avenging angel of hate and retribution. The monster's ball he hosted saw innocent men, women and children dragged out of their homes and killed brutally.

Modi may have won back his tough guy image in the party but, for the rest of us who live in India and swear by its values and traditions, he looks like just another despicable criminal. What is worse, he has damaged our image before the world. It will take months if not years for people to accept the fact that India remains a stable, trustworthy, liberal democracy where people do not always kill each other on the streets to settle perceived wrongs.

It will take a long time for the wounds to heal, for overseas investors to take us seriously, for money to find its way back into our industries, our bourses, for Gujarat to limp back to normalcy.

It is no use boasting about being the world's largest democracy if we cannot protect our own. After all, the Muslims who were killed in Gujarat were not Pakistani saboteurs. They were Indians. Like you and me. Most of them were poor people trying to eke out their already miserable lives. They had nothing to do with Godhra. To target them was not just stupid. It was criminal and wicked and Modi, who turned a Nelson's eye to the rioting, must be held responsible for it and punished.

What is surprising, however, is that Modi, instead of downing his head in shame, is openly hectoring the media. He is accusing the press and the TV channels of misleading the people. He is insinuating that there was a terrorist conspiracy behind the whole incident and that the media, instead of showing up that conspiracy, chose to exacerbate the violence by running inflammatory visuals showing homes being set on fire, people being terrorised.

He is also, like any true-blue bigot, trying to draw a direct connection between the Godhra carnage and the communal riots that followed. As if the riots can be condoned because the people of Gujarat were upset by what had happened on the Sabarmati Express.

This is a typically fascist argument. You cannot punish an entire community for the crimes of its radical fringe. Yes, Muslim fundamentalism is dangerous and misguided. It must be fought back. No one has the slightest doubt about that. But you cannot fight back Muslim fundamentalism by murdering innocent people who live in your country and swear by your Constitution.

In fact, you will only end up stoking terrorism this way because you lend credence to those who are trying to convince the

community that their only salvation lies in taking up the gun.

As a proud believer in Hindutva, as someone who is convinced that India's future lies in rediscovering our heritage of free thought and liberal tradition, I find men like Modi an insult to our political culture. Instead of defending him, the BJP must boot him out immediately if it wants to heal the wounds and restore its own image.

It also shames me to see that the political opposition, which should have been far more outspoken, has chosen to downplay the terrible events because they too do not want to lose their vote bank in Gujarat. It is a conspiracy of silence between those who are in power and those who are desperate to grab it. In the process, the guilty men of Godhra will go scot-free. So will those who stage-managed the riots under Modi's political patronage.

The judicial inquiry must cover both crimes, Godhra as well as the riots. Those found guilty must be punished severely, as well as those who looked the other way. The compensation offered to families must be the same. Modi cannot be allowed to get away with offering the families of the riot victims half of what is being offered to the families of the Godhra victims. The cost of a life must be the same for any Indian citizen, whatever his caste or community may be.

In this case, all those who died were innocent, trapped as they were in the vortex of our political degradation.

Hindustan Times, 3 March 2002

A VOID AT THE CENTRE

SHAM LAL

It will be hard for the governments in Gujarat and at the Centre to live down the ignominy of letting the state plunge into sheer anarchy last week. For a day or two the administration was paralysed and rioting mobs were left free to indulge in an orgy of loot, arson and murder in Ahmedabad and a dozen or more other places, targeting Muslim families. From the moment news came in of the terrible provocation at Godhra where three coaches of a train were torched by a Muslim crowd burning 58 Hindus to death – an operation presumably planned and executed by terrorists – the danger of

a violent backlash was all too apparent. Yet, instead of putting the administration on the highest alert, the state government went into a coma. Why were both Ahmedabad and New Delhi so casual and lax in dealing with this grisly tragedy?

No sulks or shrugs of the shoulder by those in power will be able to blot out this disgrace. The normal reaction even of the most slovenly government in the face of looming carnage would have been to order the police to patrol the threatened areas and disperse angry mobs by force where necessary, and also call in the army to bring the situation promptly under control. But the Gujarat ministry lost precious hours before it sensed that its indifference was putting its own survival at risk.

Was it that some people in the ruling circles were out to give the lumpen elements in the state's capital enough time to avenge Godhra? Whatever the reason, the inordinate delay in taking effective action to quell the riots has put in grave doubt the Bharatiya Janata Party regime's capacity to govern and made most citizens wonder whether it can protect their life and property in the face of a dire threat, much less create the conditions in which the two major communities can live in amity.

What makes the story all the more horrid is that it is by no means for the first time that the country has been a witness to mass rioting on this scale. This gory business is indeed an inheritance from the pre-Partition days, and not a decade has passed since independence without carrying the scars of mindless mass killings in communal riots. Every time the ghastly tale is repeated, the old fears and anxieties return with a vengeance, the communal divide is deepened and the cherished ideals of secularism and national integration suffer new body blows.

In the present situation, when the army is mobilized on the borders with Pakistan and the relations between the two big neighbours in the subcontinent have touched a new low, such mass rioting can have even graver consequences. It can increase the space for both terrorist outfits and all other groups out to subvert the system, already becoming increasingly vulnerable to disruptive forces because of a pluralism gone berserk. It may be that up to a point the government of an assortment of parties with different social bases and political agendas can be regarded as a sign of democratic vigour. But taken to extremes, this kind of coalition politics aggrandizes religious, caste and ethnic identities, fractures electoral verdicts, and produces governments incapable of making their decisions stick.

The slipshod working of the unwieldy coalition government at the Centre, the unseemly infighting between different members of the extended ideological family of the dominant partner in the Vajpayee government; the recent assembly election results in Uttar Pradesh, where the only choice is between an unstable opportunistic coalition between parties which detest one another, and president's rule; the yawning fiscal deficits both at the Centre and in the states, some of which are almost bankrupt, and the whopping increase in defence spending even as all social services are being starved of funds, are all warning of a system which has come to the end of its tether. The danger of its falling apart is no longer the figment of a sick imagination. It is a dread reality.

For the BJP, its own past has come to haunt it in a way that it never reckoned with. The unwillingness of many of its allies to get embroiled in Hindutva politics and the demands of keeping communal peace at any cost, particularly after the experience of mass riots in Gujarat, points in one direction, while the stubbornness of the Vishwa Hindu Parishad, which is more committed to building a Ram temple at Ayodhya to give back to its Hindutva agenda the edge it has lost than to maintaining a government led by a BJP which has lost its identity, sends a contrary signal.

After the loss by the BJP of Rajasthan, Manipur and Uttaranchal to the Congress, of Maharashtra, Assam and Punjab to the same party by three of the National Democratic Alliance allies, and of Tamil Nadu to J. Jayalalithaa by a fourth partner in the ruling coalition, the Central government's support-base has shrunk badly. The loss of Uttar Pradesh, for long its main bastion in the Hindi belt, where its strength in the new state assembly has been reduced to a half of what it used to be, has been the final blow which has demoralized the BJP as never before. To cap it all, the rapid erosion of its base throughout the country and a showdown with the VHP have robbed it of what little remained of its old aura.

Even if there is some patch-up with the more aggressive VHP, it will be an uneasy truce and it will do little to make up for the loss of face by the BJP or restore its authority. What is worse for the party, the steady reduction in its room for manoeuvre, and that of many of its allies with constricted social bases, will bring to the surface more glaringly all the contradictions inherent in the ragtag coalition. It will also impede further not only the economic reform process but also consensus building at the national level on security issues with regard to both external and internal threats. What the

country may have indeed to contend with is a void at the very centre of power.

This is by no means a false alarm. Such a void has indeed become quite a familiar phenomenon in many third world countries during the postcolonial period. The reasons for the likely emergence of a power vacuum in India are two. The free movement of capital across national borders, the shocks to which national currencies are prone due to a new frenzy of speculation, the overbearing presence of multinationals in score of countries, and the unequal terms of trade, have all combined to erode the sovereignty of the nation-state. The steering capacity of the state has moreover suffered greatly because of internal systemic failures. There is no one today in a position to buck this trend.

Many small parties here have come to acquire a vested interest of late in political instability resulting from fractured electoral verdicts because it gives them an opportunity to demand a higher price for their support from those who fall short of a majority and are in desperate need of some help. This is why the political void at the centre of power is no temporary phenomenon. Whether the NDA stays in power or is out of office will only make a superficial difference to the internal balance of power, being not radical enough to give any party a clear majority in Parliament. Even with the accretion of new strength, the Congress cannot altogether counter the logic of a badly fragmented polity.

Thus, despite all the ups and downs in the fortunes of the various parties, there is no escape from a coalition of incompatible parties at the Centre. A small coalition may be somewhat easier to discipline. Yet, it will never acquire the degree of cohesion or be able to mobilize the kind of support which policies needed for sustained high growth rates or measures to eliminate external or internal security threats demand. Despite fake displays of national unity now and then, all recent developments go to confirm the trends which continue to deepen the communal, caste and ethnic divides.

Castigating those responsible for the gory events in Gujarat is not enough. The real challenge is to counter the forces which produce such countrywide traumas every few years and make people forget that nations are not built on shared memories, but as a modern thinker has pointed out, on an amnesia about the hurts and wrongs suffered by various groups in the past. By a quirk of irony in this country, it is not only the sharpening of small group identities

but also the rewriting and reinvention of sectional histories which continue to act as a spur to the politics of vengeance.

The Telegraph, 8 March 2002

DIVIDE AND RULE: MODI OFFERS RECIPE OF HATE

DEEPAL TREVEDIE

The saffronisation of Gujarat is complete. The BJP's experiment of using the state as a laboratory for its Hindutva agenda has paid dividends by intensely polarising Hindus and Muslims and by killing nearly 600 people in six days.

Gujarat's Hindus no longer want to be known as the Tolerant Majority. They talk a different language now. Supported by the ruling BJP government, they want to strike back and avenge the deaths of the 58 *kar sevaks* who were butchered in the Sabarmati Express, reportedly by Muslims. It's a Holy War now for them and the only one benefiting from this is the BJP.

For the BJP it is a major achievement to have a state where the majority population behaves in a manner that is in tune with its political ideology. So the first part of the deadly game 'to teach them a lesson', is over. It is time to compare now which one of BJP, VHP and Bajrang Dal district and taluka units has 'performed' better than the other. This sounds ghastly but the performance is determined by the number of Muslims slaughtered and the number of Muslim owned business establishments destroyed. Fiendishly, if the score is even, those who have torched and burnt Muslims to death get better grades than those who have stoned or stabbed them to death.

The polarisation between Hindus and Muslims is so intense in Gujarat that in hospitals victims with over 60 per cent burn injuries first ask whether the doctor is a Hindu or a Muslim. At Asia's biggest civil hospital in Ahmedabad if patients 'sense' that the doctor or nurse belongs to the 'rival' community, they refuse medicines suspecting that they would be poisoned.

Post-Godhra communal frenzy has reached a peak in Gujarat, exposing the grisly barbarism of the fanatics, but at the ground

level, things have never been temperate from the time the BJP singled out Gujarat and started cultivating it as a fertile ground for Hindutva nearly a decade and half ago. With over 12 per cent Muslim population and less than 3 per cent Christian population, for the BJP, Gujarat with its moneyed entrepreneurs, was indeed a safe bet.

Gujarat's tainted track record also helped. In 1969, the official death toll in Ahmedabad alone in a communal outburst was 5000. In 1985, Madhavsinh Solanki lost his chief ministership in an anti-reservation stir which turned communal, killing over 385 people. Solanki who had coined the KHAM theory (Kshatriya, Hindus, Adivasis and Muslims), that had earlier worked wonders for the Congress, was replaced. The Congress had started losing political ground in the state. In the 1989 parliamentary elections, it managed to get only one seat. Post-Mandal, Janata Dal's popularity also waned. Meanwhile, L.K. Advani took out the Somnath-Ayodhya rath yatra which was conceived and executed by Narendra Modi, then merely an ambitious organisation man. The rath yatra sparked off communal tension, killing over 500 people, but it consolidated the BJP. With the demolition of the Babri Masjid Gujarat witnessed the country's worst communal riots with over 600 deaths. Gruesome killings, rapes and molestations came to the fore. Gujarat lost its secular credentials completely but the BJP came to power with a sensational victory soon after. Naturally, Gujarat became the party's model state.

The tried and tested Hindutva card which became the BJP's password for electoral success sadly denuded Gujaratis of their secular character. The enterprising average Gujarati became a religious bigot. Hindutva became a gospel for the entire society. Even in the US and the UK, the maximum number of members in the World Hindu Council or the Vishwa Hindu Parishad are Gujaratis. It is not a coincidence that a majority of members of the Overseas Friends of the BJP (OFBJP) are Gujaratis who casually shell out millions of dollars for party funds.

Enterprise is not the only thing that holds the fancy of moneyed Gujaratis any longer. Religion is equally important. Cosmopolitanism for a typical Gujarati, whether it is a Michigan returned Muslim or a Harvard returned Hindu, invariably includes 'being loyal to your religion.'

Every year, every summer, thousands of young Hindus descend on Gujarat and learn 'Bharatiya Sanskriti' at special summer camps

organised by various religious organisations under different banners. All of them learn one thing. 'Be proud of your Indian roots.' That should be all right for all. But then the lessons get tougher: 'Only Hindutva can matter in Bharat.' Often this Hindutva loyalty gets confused with patriotism for beleaguered NRI youngsters. The BJP naturally loves it. Similarly various boarding schools and hostels in Gujarat have special batches for 'Muslim indoctrination' for Muslims of Gujarati origin living abroad. Young minds are poisoned and hatred is systematically propagated.

Unlike Bihar or Tamil Nadu, Gujarat does not have strong community or sect affiliations. What matters is, simply, whether you are a Hindu, a Muslim or a Christian. Things have worsened so much that it is rare to find a matrimonial advertisement of a Gujarati which says 'religion no bar'.

Till a decade ago, only the poor and deprived Hindu would agree to throw acid bulbs or stones on the Muslims. Or only an unemployed Muslim would agree to stab an innocent Hindu. But the BJP successfully harnessed majority support.

As happens everywhere, those who benefited from this madness were miscreants of both communities and the political parties. There are at least 298 complaints of incidents in which Muslim ruffians drove around in their Zens and looted Muslim shops. Similarly, Hindu hoodlums in Esteems looted Hindu owned shops like Pantaloons. However much you try, you cannot get any communal angle in these anti-social activities.

In a repugnantly rabid manner, the upper caste conservative Hindu or the middle class educated and self employed Muslim has become more 'community conscious' than ever before in Gujarat. Meanwhile, the small scattered group of secularists that Gujarat can boast of, has remained the same. Some of them have died and the vacuum remains unfilled.

After the Babri Masjid riots the segregation between the Hindus and Muslims in Gujarat has assumed serious proportions. With the BJP in power, the Hindutva hold has grown. Muslims started adopting Hindu names to operate in posh Hindu dominated areas. Out of the 26 Muslim owned restaurants and hotels burnt in Ahmedabad in the Godhra aftermath, there was not one with a Muslim name. Abhilasha, Kabir, Tasty, Pleasant, Treat, Abhishek and Kalapi were a few of them. All of them served vegetarian food. One restaurant that was burnt at Navrangpura was Tulsi. Tulsi even had a picture of Hanuman to mislead miscreants but those who

came to set fire to it had done their homework well. They removed the Hanuman picture before setting the restaurant on fire.

Godhra's ghosts will haunt Gujarat for a long time to come. Though there are conflicting theories (about why it happened) it remains a fact that it was heinous to target 58 *kar sevaks* coming from Ayodhya and burn them alive. Over 80 per cent of Godhra's railway station stalls are Muslim owned and this otherwise sleepy town has a bloody communal history. In the post Babri riots, it reeled under night curfew for three years at a stretch.

As such Ahmedabad-Ayodhya journeys have never been safe. This time they became barbaric. That the attack on the Sabarmati Express was premeditated has to be accepted along with the fact that intelligence agencies, as usual, did not have any inkling. Assembling over 15,000 people in and around Godhra railway station would have required meticulous planning. Moreover, the train stopped at Godhra only for five minutes. According to one theory, *kar sevaks* refused to pay up at the Muslim owned tea stalls and walked off saying *Jai Shri Ram*. Even if this is true it is impossible to fathom how a 15,000 strong crowd armed with litres of kerosene, swords and acid bulbs could gather less than a kilometre away and attack only those specific bogies in which the kar sevaks were travelling. All this in just seven minutes.

The gruesome Godhra killings saw the VHP giving a bandh call which expectedly found support from the Narendra Modi government. The political decision to endorse the VHP bandh was calculated to fuel Hindu passions already ignited by the Godhra incident. The BJP in Gujarat naturally knew that by facilitating Hindus to react, it would benefit, specially as it has suffered a couple of electoral reverses. Hindu passions did get fired predictably but it was state sponsored terrorism with the police acting as mere spectators that claimed nearly 600 lives in six days.

Now that Gujarat is desperately trying to limp back to normal, despite intelligence reports that a major backlash by Muslims is 'soon expected', it is time to ponder over the failure of the administration to prevent the communal carnage where Hindus savagely slaughtered and tortured Muslims. Vendetta killings in the wake of Godhra were expected in a BJP ruled state where VHP vandalism is a matter of fact. And revenge is a feeling that Narendra Modi is very comfortable with. He was extirpated from Gujarat by chief minister Keshubhai Patel and he came back and avenged his removal. Avenging the Godhra deaths was unfortunately a similar

feeling for him. The RSS pracharak behaved like a true Hindu extremist and for a while forgot his Bulgari sunglasses and imported watches while indulging in Hindutva rhetoric. Over the years, there has not been much change in him or his maturity. Only his rhetoric has got a bit refined. As expected, Narendra Modi's government did not take any preventive steps.

It is a fact that large-scale violence in Gujarat could not have taken place without the complicity of the authorities. Any argument to explain the delay in Army deployment is indefensible. No one doubted Narendra Modi's hardline slant but everyone expected him to behave like a chief minister and not an RSS pracharak. Modi obviously had his electorate in mind. But how can Hindutva be justified at the cost of humanity?

Modi's insensitive comments justifying the post-Godhra madness could have indirectly encouraged Hindu zealots to go on with their frenzied madness. Because 58 kar sevaks were burnt to death, the aftermath had miscreants burning Muslims to death.

Nobody was spared. No killings by stabbings or swords. Women and children in Muslim localities were burnt to death. Hindu bigots took pride in justifying the gruesome torchings. Tit for tat, they rationalized, as an unflappable chief minister kept on justifying the madness. With the head of the state behaving like a mob leader, the Muslims had no one to complain to.

Chief minister Narendra Modi's irresponsible and flippant statements of how the post Godhra violence was a 'natural reaction' to the Godhra event invoked national and international wrath but it did make him a 'saviour' of the Hindus.

Rediscovering Rama in Gujarat unfortunately could bring in better political fortunes for the beleaguered BJP. Sadly, the riots bring in a win-win situation for the BJP in Gujarat. Even if the Narendra Modi government is dismissed, at the next elections which are due in March next year the Hindu majority could bring back the BJP. If Narendra Modi manages to hang on, he will win the confidence of the majority community. And while the BHP plays its dirty games, secularism keeps getting molested in the Mahatma's land.

Because chief minister Modi himself remained impassive towards the violence, the police too preferred religion over duty. So, if you went to a riot ravaged Muslim locality wearing a bright red bindi and asked policeman on how 42 Muslims in a single house got torched to death, he would say that they deserved it and stress 'off the record' that the 15,000 strong mob had done good by 'teaching

them a lesson.'

Mobs at Naroda and Meghaninagar boast of how women and children screamed when they doused kerosene and petrol. The cowards, as it always happens, felt jubilant. Killing the weak, they felt all the more brave. And they shouted *Bharat Mata ki Jai*. In the process they cheated their neighbours, they cheated their souls, they cheated their country.

Secular decency has become an outlandish term in Gandhi's Gujarat. For every Hindu, Muslim means mischief. For every Muslim, a Hindu means a death call. Amidst this grim scenario, miscreants indulge in looting and arson.

While the Godhra train massacre was unforgivable, Godhra's aftermath is equally unpardonable. The perpetrators of both the events are missing. Only that in one case you know that the Gujarat government played a vital role in vitiating the atmosphere.

Narendra the Nazi, as chief minister Modi has come to be known, has no intentions of stepping down. But can an RSS pracharak camouflaging as a chief minister bring bout a semblance of law and order? Can he inspire anything other than fear and insecurity?

Gujarat can stop burning only if the BJP gives up on the state. And this seems to be an improbable possibility.

The Asian Age, 9 March 2002

UNDERSTANDING GUJARAT

RAJMOHAN GANDHI

All the comment about Gujarat's supposed avenging nature, including the Chief Minister, Narendra Modi's remark about five crore Gujaratis reacting to the Godhra outrage, left me wholly unimpressed. It was a slur. Just before the carnage began, I spent five days in the State, chiefly for events related to the JP centenary, and left Surat for Mumbai an hour before the Godhra killings occurred. In Ahmedabad, Bhavnagar, Bharuch, Ankleshwar and Surat I encountered several citizens groups committed to Gandhi's philosophy of fairness towards all and protection of the weak. The inferno that started with Godhra and then destroyed lives in different

places in Gujarat was a comment not on the character of Gujaratis but on the poison knowingly injected into Gujarat's bloodstream by groups of Hindu and Muslim extremists.

The Gujarat of Gandhi, of the poet Narsi Mehta who spoke of the other person's pain, of the modern Jain saint Rajchandra, of brothers to the poor like Ravishanker Maharaj and Jugatram Dave, of the unknown poet who presented to Gandhi the *Ishwar Allah Tere Nam* line, of Vallabhbhai Patel, who mobilised his peasants against the Raj in a magnificently-controlled struggle of non-violent defiance and who knew how to enforce the rule of law, of recent incorruptible political leaders such as U.N. Dhebar, Balwantray Mehta and Morarji Desai, of hundreds of currently-active and efficacious NGOs, of ordinary men and women who care for their neighbours, stands deeply shaken.

Shockingly, the killings have continued. Deterring the next arsonist or killer group, or saving the next cluster of threatened lives, did not and does not appear to be the State Government's primary concern. It was hard to derive any assurance from a Chief Minister who liked to underline number of localities and villages not yet burning, and who did so without conveying any contrition about the thousands ruined or killed on his watch. When September 11 happened, American leaders from George W. Bush down to local officials at once made it plain that hate crimes against Arabs, Afghans or other Muslims living in America would be severely punished. But after Godhra, Gujarat heard no warning against targeting Muslims.

For decades, Gujarat has experienced the injection of hate – from neighbouring Pakistan and also from the so-called Indian heartland. The truth is that the subcontinent's religious extremists never forgave Gandhi his beliefs and his triumphs. They hated him for standing up for minority rights, religious freedom, justice, and forgiveness, for persuading millions on the subcontinent to embrace these values, and for successfully inspiring his followers to enshrine religious equality and freedom in the Indian Constitution.

Muslim and Hindu extremists alike hoped that India would reject the inclusiveness and secularism that Gandhi had insisted upon. Maulana Maudoodi, founder of the Jamaat-I-Islami, expressly desired a Hindu state in India and a Muslim state in Pakistan. So did India's Hindu extremists. When the Hindu extremists who backed the Mahatma's assassination found that it had consolidated India's pluralism instead of destroying it, they put their heads together and came up with two cunning strategies: inject hate into

Gandhi's Gujarat, and turn Gandhi's healing Ram, the Almighty who was also the Compassionate, into an anti-Muslim chariot-riding warrior.

The extremists are chillingly symbolised by the photograph of the Gujarati youth in the maroon T-Shirt with a raised crowbar, screaming mouth, clenched fist and blazing eyes, his whole being declaring the intent to destroy. Yet at least to me those unforgettable eyes seemed also to plead to be rescued from the fire of hate that had seized his heart.

The picture suggests the constituency that the extremists have focussed on – youths on the margins of crime and unemployment who feel threatened but also tempted by modernity, a conflict revealed by the word American displayed across the maroon T-shirt. To the (much larger) Hindu segment of this constituency in Gujarat, audio cassettes, videos and pamphlets have for years dinned the following message: Hindus have been made weak, effeminate and second-grade citizens, and Muslims and Christians have fattened, in the Indian fashioned by Gandhi and Nehru. Gandhi should never have spoken to Hindus about fair means or non-violence. Non-violence is cowardice, forgiveness sinful, and secularism evil. India is being Pakistanised or Christianised. Bharat Mata's honour requires the removal of the Babri Masjid and the erection in its place of a grand Ram Mandir. Are you a man and a true son of Bharat Mata? If you are, be ready to destroy and to be destroyed. Be a hero or a martyr.

Tribal, Dalit and OBC youth were specially cultivated, even though it was not hidden that once Muslims had been satisfactorily tackled, dealing with independent-minded Dalits, tribals and OBCs could follow. Years of persistent propaganda, aided by a flow of funds, including from NRIs, and helped also by corruption and division in Gujarat's secular polity, did their work. There were many recruits. In numerous places in Gujarat, terror squads emerged that could also do duty as kar sevaks. And when, preceded by a parallel process aimed at counterparts among Gujarat's Muslims, Godhra happened, Gujarat's kar sevaks were prepared for quick and explosive action.

We know the gruesome deeds and the climate of terror that followed, yet these kar sevaks have neither taken Gujarat over nor altered Gujarat's character. They are a super-imposed on Gujarat's social and political life. Godhra gave the kar sevaks a provocation and also a pretext. The Modi administration's inaction or connivance

gave them free passage. Using both emotion and intimidation, kar sevak squads attracted supporting mobs, just as the perpetrators of Godhra had done. But the kar sevaks do not symbolise or represent the Hindus of Gujarat, even as the perpetrators of Godhra did not represent Gujarat's Muslims. The hundreds of thousands of ordinary Hindus and Muslims saddened and shamed by the cruelties of their co-religionists and the large numbers engaged in bringing succour to the inferno's victims, are better symbols.

Huge tasks beckon: lifting from Gujarat the shroud of terror; restoration to Gujarat's Muslims a sense that their lives count and will be protected: enabling Gujarat's silent and seemingly helpless majority to find its voice and feel its strength; reconstructing, once more and within a year of the earthquake, Gujarat's shattered economy; bringing some compensation and healing to the thousands damaged by the inferno; recalling Gujarat's Hindus to their tradition of a calm and honest Hinduism, a Hinduism that feels another's sorrow and does not need an enemy for its sustenance; and presenting alternatives to Gujarat's enraged youth, Hindu and Muslim.

The Hindu, 12 March 2002

A NATION SHAMED

Why didn't the government pre-empt Godhra and the backlash that followed?

J.N. DIXIT

The arson and murder of passengers in the Sabarmati Express near Godhra and the orgy of violence that followed in Gujarat and other parts of India is more than an incident of communal rioting. It is a watershed signifying another descending step towards the disintegration of the basic socio-political terms of reference of the Indian polity and its civil society. It signifies the erosion of the capacity of governance of the political and administrative classes. This is apart from the profound damage it has done to India's credibility as a secular democracy in the international community.

The incident took me back to a conversation which I had with Benazir Bhutto in September 1991 when I was India's high

commissioner to Pakistan. She was then out of power. The conversation took place at a reception in the Turkish embassy in Islamabad. The agitation about the Babri mosque was gaining momentum in India at that time. She asked me for a speculative assessment of whether the government of India would be able to prevent the destruction of the mosque. She wanted to know what was the attitude of the majority of people in India on this issue.

My response was that while the agitation to destroy the mosque shows the emerging trends of religious intolerance and extremism, the government will not allow the mosque to be demolished. I was proved wrong on the demolition but I was entirely correct about the public reaction. The majority of the people of India acknowledged the destruction of the mosque as a tragic incident challenging the very foundations of democracy.

However, I now realise that my claims about India to Benazir Bhutto proved to be spurious. I seemed to be over-optimistic about my faith in India's commitment to the ideals on the basis of which it sought national consolidation.

Godhra proves, if proof is needed, that the poison has spread in our civil society. Pointing an accusing finger at the ISI cannot absolve us of our failure. Even if Pakistani agents provocateurs played a role, a number of questions need to be answered.

The tension generated by the VHP and its allies by continuing their activities to build the Ram temple at Ayodhya has not only been an incremental phenomenon since the destruction of the Babri mosque, the Centre did not take any decisive steps to defuse this tension or put a stop on the preparatory activities over the last decade. Why?

As for the violence at Godhra, reports indicate that 3,000 to 4,000 people had assembled outside the railway station equipped with diesel, kerosene and other incendiary material. It is inconceivable that the Gujarat police and the branch office of the intelligence bureau of the government did not have advance information about this crowd. It is difficult to accept that the incident occurred because the Ram sevaks in the Sabarmati Express shouted slogans and this provocation suddenly led to thousands of people bent on wreaking vengeance emerging – like Minerva from the head of Jupiter.

Why was no action taken to disperse the crowd in time?

There is a similarity between this and the thousands of kar sevaks who assembled in Ayodhya and who succeeded in destroying the mosque despite a huge contingent of police being deployed just a few kilometres away from the mosque site. Once the horrendous

act of arson and killing was perpetrated, it was obvious that there would be a widespread backlash in Gujarat and even in other parts of the country. Why did the government not take timely action to deploy the police in different parts of the state to prevent the spread of violence?

What the people of India heard instead were pusillanimous explanations. Chief Minister Narendra Modi was blasé. He stated that given the violence perpetrated on the Sabarmati Express, a backlash was natural. He then proceeded to remark that he was trying to do whatever was possible.

Even more extraordinary was the remark of Director General of Police Pande – that people should not expect the police to be everywhere, that a sufficient police force was not available He added that police personnel also have their personal sentiments in such matters, implying that the main operational instrument for maintaining law and order is no longer a commitment to national duty but is subject to ethnic and religious inclinations. The DGP might have been factually correct but it shows the disintegration of the functional integrity of the police force and, more important, the incapacity of the higher command – political and administrative – to ensure discipline in the force.

What is dangerous is that the Gujarat government did not mind a backlash. This speculative conclusion gains some substance in terms of party politics because latest reports are that the ring-leaders of the Godhra violence were local leaders of the Congress. One does not have to elaborate on the possible motivations about the lethargy of the Gujarat government to react to the violence in Godhra.

Then again, why did the government take nearly three days to deploy troops from the army's southern command in Gujarat? The excuse that it takes time to get the army deployed does not wash. Our armed forces are efficient and prompt in coming to the aid of civil authorities if the directions are given in time. There is something more to it, something unexplainable in the delay in the army's deployment.

Compounding all this is the fact that for nearly a week after the Godhra incident, and despite the imposition of curfew and deployment of police and regular army troops, the violence continued. There was no effective action against the bandhs declared in Gujarat and Maharashtra. Have the processes of governance become so inefficient and lethargic that the authorities are not capable

of taking counter-measures in time against clearly discernible and anticipated violent disturbances (shades of the way the government dealt with the anti-Sikh riots in Delhi in 1984)?

Instead of public declarations that the government would take firm action against the instigators of communal disturbances regardless of their ethnic and religious identities, Prime Minister Atal Bihari Vajpayee appealed for peace and harmony. Home Minister L K Advani accepts the tragedy and says corrective action would be taken. Instead of calling for an explanation from Narendra Modi and directing him to take immediate action, he is engaged in consultations with the central government.

The home minister, whose constituency is in Gujarat, delayed going to the state by nearly three days. It was Defence Minister George Fernandes who proceeded to Gujarat first. This also reflects the undercurrent of party-political affiliations and ideological inclinations of different members of the coalition in the BJP-led NDA government.

Should this not have been transcended by a display of united intention and action?

Godhra and its aftermath clearly indicate that the integrity of the ideological and constitutional foundations of the Indian republic have been dangerously eroded, and this process will continue if we do not wake up in time. It also hows that there is no link between our claims of being a secular, pluralist and tolerant democracy and the political realities emerging in India.

It is equally clear that India's international credibility as a democracy, committed to the ideals mentioned above, is subject to serious doubt, which can have negative ramifications in terms of our relations with important powers and the Islamic countries. Pakistan will take full advantage of our vulnerability in this regard.

It is time to wake up and stem the rot. To paraphrase the poet, 'Things will fall apart if the Centre does not hold.'

Hindustan Times, 13 March 2002

AUTOPSY OF A RIOT

Social Science to Social Forensic

DIPANKAR GUPTA

Two days before *kar sevaks* were attacked in the Sabarmati Express near Godhra, *Jan Morcha*, a little known daily from Uttar Pradesh, reported how Muslims were harassed by Bajrang Dal activists on the same train but heading in the opposite direction towards Faizabad. This incident allegedly took place on February 24 and duly appeared in *Jan Morcha* on the following day.

According to this report, Muslims in this train were beaten with iron rods, many Muslim women had the veils of their *burqas* ripped off, and even children were not spared. Apparently, the harassment and intimidation of Muslims were at their height between Dariawad and Ridauli stations, that is, as the train was entering the environs of Ayodhya. Narendra Modi's statement explaining away the carnage in Gujarat following the Godhra incident in terms of action and reaction gets a credible ring as the earlier incident around Faizabad was largely ignored in the national press. This is not to argue that two wrongs, or three (as in this case), make a right, but that neither Newton's law, nor social science can really explain a riot.

By talking about action and reaction Mr Modi adroitly dodged the issue of political responsibility. But recourse to schoolboy science, including social science, more often than not, misses the main points of a riot completely. The killings of Sikhs in 1984 and the Bombay carnage of 1993 have proved, if proof indeed was necessary, that riots do not happen because social sentiments overflow normal bounds and move otherwise reasonable people to indulge in murder and mayhem. Instead of a social science analysis we rather need an autopsy of a riot. If such an autopsy were to be conducted it would become abundantly clear that riots are created by interested organisations that have the tacit, or active, support of the government in power.

A social science analysis of a riot can go off on a tangent. It might suggest that there are certain classes that are situationally more predisposed towards violence. It might also make the claim that there is an inherent and irreconcilable animosity between cow worshippers and beef eaters. To be anti-Muslim or anti-Sikh, or

anti-Hindu is one thing, but to actually seek the hated other with blunt and sharp objects or with petrol bombs is quite another. There is a qualitative difference between the two. Riots do not occur because of structural imperatives, or social compulsions. Nor do they happen because mass sentiments just cannot take humiliations any more. Riots need, as a necessary condition, organisations that plot mass killings with governmental support. The job of social forensics is to uncover such conspiracies and to expose the accused.

Only a determined and dogged social forensic investigation can tell us about the most interesting and pertinent facts of a riot. The analysis of class structure, or occupational profile, or even historical memory, can hardly enlighten us as to who were the actual perpetrators of a riot. We have no option but to rely on social forensics if we want to know who paid money to whom for doing what, and which government officials and representatives protected the rioters, who actually pulled back the police, and who delayed calling in the army. Instance after instance can be cited in this regard to demonstrate the relevance of social forensics. Apart from the Sikh killings and the Bombay blasts one can think of the Bhiwandi riots, the Meerut massacres, the killings of Christians, the Ayodhya bloodlettings, and the list can go on. Why should the recent Gujarat carnage be any different?

When Shiv Sainiks went to make the Bhiwandi riots everybody knew what was going to happen. They boarded trucks in Mumbai, armed with rods and cycle chains, openly announcing their intentions. They all looked like a happy bunch out for a Sunday picnic. They knew very well, each and every one of them, that the government of the day was solidly behind them. This is the all important fact behind a riot and it is only social forensics that can help us to grasp it. To bring in concepts of social science at a time like this can act as a smokescreen and provide an escape route for those who are guilty. We might even be tempted to believe that the fault is not that of the rioters and the conspirators, but of society itself.

There are then three theses of social forensics. The first, and the most obvious, one is that riots do not just happen, they are created. There are organisations that have a definite interest in fomenting riots but they need the active support of the government. Without this support a riot would never graduate beyond a skirmish. The second thesis of social forensics is that sectarians on one side desperately need sectarians on the other side. A sectarian can do without a friend but is helpless and inarticulate without a good enemy.

Bal Thackeray began his political career by targeting South Indians in Mumbai. Unfortunately, South Indians in this metropolis did not oblige the sainiks by being good enemies. They learn Marathi, identified with local festivals, and had no hesitation in putting up Shivaji's portrait and lacing it with incense fumes. This is what pressured the Shiv Sena to cast the communists and Muslims as prime targets. The communists lived up to their billing for roughly two and a half decades. But with trade unions in a shambles and Russia a distant memory they lost their good enemy status. Only the Muslims were left, and after 1984 the Shiv Sena has concentrated almost exclusively on them.

The third thesis of social forensics is that there is a great difference between those who die for a cause and those who kill for a cause. Social sciences are useful to understand factors that lead people to sacrifice their lives for a larger common good. This is why we have some excellent sociological treatises on mobilisations spurred by the ideals of nationalism, communism and cultural identity. But when people are ready to kill for a cause, as in a riot, it is plain skullduggery at the highest quarters which is responsible. The interests in this case are very narrow, as any autopsy of a riot will show. When a riot happens it is because the killers know that no harm is going to come to them. If they had the slightest fear that they might not come home, that they might be in jail, even killed, they would never have ventured out. This is why only social forensics is relevant for conducting the autopsy of a riot.

The Times of India, 14 March 2002

SEPARATE FACT FROM FICTION

The three events in one week at Godhra, Gujarat and Ayodhya were unconnected

PREM SHANKAR JHA

Three events within a single week have traumatised the country in a manner not experienced since the demolition of the Babri masjid a decade ago. These are the attempts to start the construction of a

Ram temple in Ayodhya, the slaughter of passengers on the Sabarmati Express by a frenzied mob at Godhra and the horrific 'revenge' killings of more than 600 Muslims in virtually uncontrolled reprisals all over Gujarat.

Given their proximity, and the fact that all three relate to the vexed issue of communal relations in the country, it is not surprising that much enlightened public opinion in India has linked all three events in a single chain of cause and effect and pinned the primary blame for the slaughter of innocent Muslims in Ahmedabad, and for that matter some of the blame for the killing of Hindus at Godhra, upon the Hindu revivalists of the saffron brigade.

It speaks volumes for the strength of secular sentiment in the Indian intelligentsia that despite being overwhelmingly Hindu it is able to do so. But the interpretation is wrong. The three events were unconnected. Linking them together permits Muslims to plead extenuating circumstance for the murderers of Godhra just as much as ignoring the poison generated by the Ayodhya dispute permits Hindus to put all the blame for Ahmedabad and Mehsana upon the incitement provided by the murders at Godhra.

It is an inescapable truth that had there been no Ayodhya dispute there would have been no *kar sevaks* travelling in the Sabarmati Express. There would thus have been no altercation in Godhra. But that is about the only link between Ayodhya and the Godhra massacre.

By no stretch of reasoning can an altercation with a Muslim tea stall owner, an ensuing fracas, abuse hurled at Muslims or Islam justify the roasting alive of men, women and children one kilometre outside the station at Godhra. It is impossible to imagine how one act could even have set off the other.

Kar seva has been going on sporadically in Ayodhya for an entire decade. *Kar sevaks* have been going up and down the railroad from Ahmedabad to Ayodhya. There was nothing confrontational about the *kar sevaks* who had travelled back and forth in February. This did not mean that they were incapable of misbehaving, or getting into a quarrel with a tea stall owner – groups of young men travelling by train do so all the time, and the victims are by no means all Muslims.

This is the image of a people provoked beyond endurance, drawn by a *Washington Post* reporter: 'They exposed themselves to other passengers. They pulled head scarves off Muslim women. They evicted a family of four in the middle of the night for refusing

to join in chants glorifying the Hindu God Ram....when they refused to pay for their food, Muslim boys among the vendors at Godhra stormed the train. When the confrontation was over, 58 Hindu passengers – mostly women and children – were dead.'

This account does not ring true, because during the brief halt at Godhra there simply would not have been enough time for Muslim hooligans to piece together all this information and become sufficiently incensed to go on a murderous spree.

Had the altercation at Godhra alone set off the attack, the train would have been burnt at Godhra station. Had a Muslim tea stall owner jumped on the train and pulled the chain to prevent the *kar sevaks* from getting away, the train would have stopped within yards and not a full kilometre away. Nor is it possible to even imagine how, in a spontaneous riot, only members of one community were killed. This is as implausible as stories from Kashmir and earlier Punjab, that only terrorists were killed or injured in an 'encounter' with the security forces.

The more closely one looks at Godhra, the more implausible does the thesis of a spontaneous Muslim reaction become. Both the bogies, S-5 and S-6, were made of steel and contained no wood (the berths were made of flame-resistant rexine and foam). The train was stationary and not travelling at speed. So there was no wind to fan the blaze and make if spread from one point to the entire bogey.

So how did the Muslim youth who did the burning manage to accumulate so much incendiary material in so short a time? If the petrol was collected in driblets why did the driver stay standing at the spot and not pull the train away? Why did the passengers in the burning bogeys not jump out and run away from the flames? How is it that virtually all the passengers in a single bogey, S-6, were trapped inside while those in S-5 mostly managed to escape?

There is only one answer to all these questions, what the first journalists to get to the scene reported. The attack was preplanned. All the narratives of provocation have been constructed after the attack.

If the riots were a product of renascent Muslim fundamentalism, the scale of the carnage that followed owes a great deal to the decade-long saffronisation of the administration and the ambivalent attitude of the chief minister. The Godhra tragedy occurred in the early morning of February 27. It hit TV that evening and the newspapers on February 28. The VHP scheduled its bandh for February

28. The Gujarat government had a clear day in which to take the standard precautions against communal rioting that all Indian administrations are familiar with.

Almost none of these precautions were taken – there were no pre-emptive arrests of known bad characters; no peace committees formed, and no show of force in communally sensitive areas. A curfew was declared in 26 towns and cities but with no enforcement this proved worthless.

Some of the blame may rest upon the fact that the chief secretary of Gujarat was abroad at the time, and the person officiating for him, a lady, had very little actual experience of district administration. Coupled with a new and inexperienced (not to mention unsympathetic) chief minister, the power vacuum in Ahmedabad was complete. That was what prompted the cabinet committee on security to send George Fernandes to Ahmedabad to supervise the use of the army.

The key reason for the administration's torpor on February 27/28 was that the VHP was behind the bandh. In a BJP administration, the police and district administration would have needed specific, unambiguous directives to use force against the VHP and arrest its leaders. Those instructions were not given till Fernandes arrived in Ahmedabad.

Narendra Modi made himself an accomplice in the carnage that followed Godhra through his unsympathetic statements to the press. No one is likely to forget his attempt to give twice as much compensation to the victims in Godhra as to those elsewhere, or his remark that Ehsan Jaffrey and his family of 19 called for their own deaths by firing on the mob that had come to ransack their homes and perhaps kill them. By defending him in parliament, L.K. Advani also made the Centre an accomplice to the Gujarat killings.

Only a shade less callous is the lack of even token sympathy for the families of those who have suffered in Gujarat. For every one person who has been killed there are ten whose property has been destroyed, breadwinner taken and the family rendered destitute. Not the Centre, not the state, not a single political party, not a single industry association has even thought of setting up a relief fund to which concerned citizens can contribute to facilitate their rehabilitation. With such callousness at home, we will soon not need Pakistan or Kashmir to breed our terrorists for us.

Hindustan Times, 15 March 2002

BJP'S RIOT-FREE INDIA

ASGHAR ALI ENGINEER

The riots in Gujarat in which so far 704 persons have died (that is the official figure; unofficially it is much larger) are, perhaps, Independent India's worst riots, in terms of both number and brutality of killings. The BJP, in its manifesto for the 1999 Lok Sabha elections had promised a 'riot-free India', if voted to power. So this is the BJP's version of a riot-free India. These riots have not taken place in any Congress-ruled or other-party-ruled state, but in the BJP-ruled state of Gujarat which is also a laboratory of Hindutva.

Thus it is the 'laboratory of Hindutva' which became the killing fields of people belonging to the minority community. To be sure, what happened in Godhra on 27 February morning was highly condemnable and no one who respects human life would ever condone it or explain away its occurrence. It was highly inhuman, whatever the provocation by the kar sevaks.

What followed from the next day onwards in Gujarat (when the call for a Gujarat bandh was given) was utterly shocking. No secular democratic country can stand such horror-killing. In a democratic country the law should take its course, and people should not be allowed to take revenge on the street. Those involved in the Godhra massacre of kar sevaks and some other innocent citizens in those two sleeping coaches (S5 and S6), were promptly arrested and the Chief Minister Narendra Modi even declared that they had been arrested under POTO.

That means the law had started taking its course, and soon an inquiry was also to be announced. The protest bandh call by the VHP next day was not needed, for bandh calls are given when the government refuses to take action against some grave and shocking event. Here the government was more than ready to take action. And if despite the government's having announced action against the culprits of the Godhra incident, if a bandh was announced by the VHP, was it necessary to kill hundreds of innocent people so brutally?

Even if the VHP was blinded by an animal passion for vengeance, what had happened to the Gujarat Government and its administrative machinery? It is more than obvious that the Government was unwilling to take any preventive measures to stop the ensuing bloodbath. And knowing the nature of the VHP and

Bajrang Dal's militancy it was not difficult to imagine the nature of the bloodbath. If even then the state government did not take any measures do we need any greater proof of its complicity? Even the army was not called out for two full days, and when called, was not deployed, with the excuse that not enough magistrates were available to accompany each column of the army.

When Mr George Fernandes was sent to Gujarat as the troubleshooter of the NDA Government, and pressed for the deployment of the army, his car was publicly stoned. Many insiders felt it was done at the instance of Mr Narendra Modi. The brutal killings went on for about a week and spread to rural areas where a large number of people were burnt alive; one cannot yet be sure how many, as bodies are still being discovered.

This is not the first time that Gujarat has witnessed communal violence. Besides smaller incidents of communal violence there have been several major flare-ups in the past, particularly in Ahmedabad. The first major communal carnage in post-independent India took place in Gujarat in 1969 when about 660 people died according to official figures. The number of dead in the current riots has already reached 704, which is also likely to be exceeded as more bodies are recovered from rural areas. This when the Chief Minister's office was busy giving out figures last month, when Narendra Modi was contesting a by-election, to show how peaceful Gujarat has been in the last six months since Modi took over as Chief Minister. Thus within six months of Modi's take-over the 1969 record has already been pushed to the second place.

Gujarat witnessed several more riots since 1969: in 1981, in 1985, in 1990, in 1992-93 and now in 2002, and several other riots in between. According to the *Times of India* report, under Madhav Singh Solanki who was chief minister on three occasions, 276 people died in 117 incidents of mob violence. Under Amar Singh Chaudhuri, 582 persons died in 413 incidents of violence. And under Chimanbhai Patel, who was chief minister twice, 563 persons died in 370 incidents of violence. In 1990 when the L.K. Advani-led rath yatra from Somnath to Ayodhya began, 220 people died; in the 1992 riots after the Babri demolition 325 people were killed and in 1993 another 116 people lost their lives.

In all these riots which took place during the Congress regimes the Jan Sangh's or the BJP's role was obvious though the Congress also cannot be exonerated by any means. The BJP had chosen Gujarat from the beginning as the laboratory of Hindutva. The

question is of course why Gujarat was chosen? There could be a number of reasons for this. Gujarat is predominantly a state of traders where neither any left-wing nor any lower-caste movement had ever had an influence. In other states, a dalit movement acts as a countervailing force for the communal movement, but Gujarat never witnessed any such movement. There was neither any Mahatma Phule nor any Ambedkar.

The socialist movement, too, was very weak. No social reform movement such as that in Maharashtra ever took place in Gujarat. The reform movement called the Swami Narayan movement attracted mainly the trading classes, particularly the Patels, to its fold. It never attacked the caste system and the feudal influence was very strong. After Independence the Jan Sangh allied with the Swatantra party which was set up by C. Rajagopalachari and which was joined in large numbers by the princes.

It is therefore not very surprising that earlier the Jan Sangh and now the BJP, has systematically used the dalit masses in Gujarat to advance its own political agenda, and also have always used them for attacking minorities. The poor dalit youth are always in the forefront of all the riots. The dalit leadership, itself very weak, finds itself almost helpless in controlling the dalit youth and preventing it from perpetrating communal violence. The job of killing is done usually by dalit youth, and the upper caste followers of the BJP keep themselves away from this 'dirty job'.

The middle castes in Gujarat are extremely conservative and unhesitatingly align themselves with the BJP. Most of the Gujarati NRIs in UK and USA also belong to these castes and help the Sangh Parivar generously with donations that have really helped make Gujarat the laboratory of Hindutva. Every communal carnage has furthered the cause and the political agenda of the BJP. It is for this reason that the BJP found it easy to come to power in Gujarat unaligned with any other political party. The Solanki government tried to take help of lower and backward castes and minorities through the KHAM (Kshatriya, Harijans, Adivasis and Muslims) formula by giving them reservations in government jobs. However, a powerful anti-reservation movement launched by these middle castes and led by the BJP sabotaged it and Solanki himself was thrown out after communal violence of more than a year and a half in 1985-86, engineered by the BJP. Thus the BJP furthered consolidated its position and Congress was further weakened besides being torn by factional fights. It was for this reason that Mr L.K.

Advani chose to stand from the Gandhinagar constituency in every Lok Sabha election.

Every time communal violence takes place in Gujarat it surpasses previous instances of violence in its brutality. The recent carnage in Gujarat is the culmination of years of unabated communal violence. This time, in 2002, all deaths were most brutal, the killers burning the victims alive and throwing even young children into leaping flames.

This time a concerted effort was also made to systematically destroy the economy of Muslims in Gujarat. Incidentally Gujarat is the only state where three trading communities of Gujarati Muslims have flourished over a period of time, i.e. the Bohras, Khojas and Memons. All these trading communities are peaceful and almost apolitical. They generally do not take part in political movements, let alone in any communal violence. Yet these communities are increasingly suffering in the Gujarat riots, and this time there was a very systematic destruction of their factories, godowns and shops.

Because of the Sangh Parivar's intense activities in Gujarat all sections of Gujarat civil society and state organs have been thoroughly communalised. Even the judiciary is no exception. When the Babri Masjid was demolished in 1992 twenty judges in Gujarat, out of twenty three, according to a lawyer of Ahmedabad High Court, felt happy; only three said that they felt sad. No wonder that in all these riots over 33 years since 1969 hardly any culprit belonging to the majority community has been punished. The police and civil servants are no exception. Whenever riots break out in Gujarat they spread very fast as the entire administrative machinery either looks the other way or even helps the marauding mobs. In the carnage which broke out after the Godhra incident even minority judges and high police officers of the rank of Inspector General of Police were targeted. High court judges belonging to the minority community had to flee from their houses and their plea to the authorities fell on deaf ears.

Some people have suggested that only a vibrant civil society can check communal violence, but when the civil society itself is so highly communalised how can it do so? There is so much illiteracy, so much poverty and unemployment. How can we have a vibrant civil society? Our politicians, particularly of the BJP variety, are misusing religion for political ends recklessly as the Sangh Parivar has done in last twenty years not only by challenging secularism (calling it pseudo secularism since the early eighties) and then rais-

ing the Ram mandir issue and using it continuously in election after election to increase their number of seats in parliament. It is a crucial moment for the Indian polity and Indian secularism. The BJP politicians are pushing the country to the precipice in order to climb to power. Strong resistance is needed now from the people. The secular parties are fighting among themselves: the Samajwadi Party with the BSP, the socialists with the Congress; and some of them easily aligned themselves with the BJP to finish off the rival secular parties. This rank opportunism on the part of NDA partners should come to an end if they care for secularism and the unity of the country.

Secular Perspective, 16-31 March, 2002

WHITHER GUJARAT? VIOLENCE AND AFTER

ACHYUT YAGNIK, SUCHITRA SHETH

Gujarat, after almost a decade, has witnessed a whirlpool of violence. Earlier, in 1990, following Advani's rath yatra and in 1992, after the demolition of the Babri mosque, Gujarat experienced major communal conflagrations. This time too the Ayodhya issue was the epicentre. On February 27, when 'kar sevaks' of the VHP were returning from Ayodhya on the Sabarmati Express, three coaches were burnt by a mob after the train was stopped by pulling the chain some distance from Godhra station. Almost 60 passengers, most of them kar sevaks, including many women and their children, were burnt alive in a horrific bonfire. The communal carnage which followed, was explained by the Sangh Parivar as the retaliation by Hindu masses to avenge the Godhra killings, the 'reaction' to the 'action' at Godhra. In the corridors of power, whether at Gandhinagar or New Delhi, the Godhra incident has been labelled as a premeditated, pre-planned, terrorist act. Even the defence minister George Fernandes chose to identify the ISI as the brain behind the gruesome tragedy. Instead of looking within, those in power chose to point their finger in the opposite direction.

While acknowledging the limitations of the 'action-reaction' explanation, it is significant to note that the incident at Godhra also

had a backdrop. Since the beginning of February, large numbers of VHP volunteers had been going to and fro between Ahmedabad and Ayodhya on the Sabarmati Express, for kar seva. Now, it is reported by residents of Godhra and Faizabad, that all along the route these volunteers misbehaved with hawkers, teased women, shouted slogans at many stations and made inflammatory speeches. This continued harassment and misbehaviour, which went largely unreported, is one more piece in the jigsaw puzzle.

Following the event of February 27, VHP called for a Gujarat bandh on the next day which turned into mass slaughter, arson and complete breakdown of law and order. On the west side of the Sabarmati, in posh Ahmedabad, Muslim shops and business establishments were systematically looted and then set on fire. Frenzied groups of middle and upper class men and women could be seen with armloads of shoes, clothes and kitchen equipment, making their getaway on scooters and in cars before our very eyes. Similarly, in the walled city, Muslim shops were targeted, looted and burnt. In an almost Pavlovian response, pitched battles began in the traditional pols (residential areas) in the walled city where Hindu and Muslim neighbours threw stones, acid bulbs and crude petrol bombs on each other as they had been doing since 1969.

The most barbaric scenes were played out in industrial Ahmedabad. On the afternoon of the 28th, 43 people, including Ahsan Jafri, the former Congress MP of Ahmedabad, were burnt alive in Gulmarg Society in the Chamanpura-Asarwa area. For four hours they frantically tried to contact the police, senior bureaucrats and contacts in Delhi, but the mob of over 10,000, most of them neighbours, finally set the colony on fire. That evening, in the slums of nearby Naroda area, 84 people were burnt alive by a 15,000 strong mob. According to surviving families, now in relief camps, this mob consisted of people from 'outside'. As in the rest of Ahmedabad, in the industrial areas too, Muslim shops and homes were systematically wiped out. Earlier, the weapons were petrol and kerosene bombs but a new development in these riots was the use of gas cylinders as explosives. Cylinders would be taken from the victim's house, bundled in cloth and after setting fire to the cloth, the cylinder would be tossed back into the house where it would explode like a bomb, destroying the house and setting everything ablaze.

The capital of Gujarat, Gandhinagar, 30 km from Ahmedabad, saw communal violence for the first time. Within the precinct of

the secretariat, the offices of the Wakf Board and Minority Development Board were burnt. This was the beginning of a series of incidents which showed that not only was the law and order situation deteriorating but the state itself was crumbling. At the main gate of the Gujarat High Court, on National Highway 8, a number of trucks with their drivers were set on fire. Later, the judges were evacuated under armed escort. A sitting judge of the high court, Justice Kadri, was forced to leave his official residence and take shelter in a Muslim area. Shops directly opposite the gates of the Police Commissioner's office in Ahmedabad were set on fire. The dargah of Shah Wali Gujarati, one of the pioneers of Urdu language and literature, was razed to the ground and a temporary Hanuman temple hastily installed. None of the symbols of the state – the secretariat, the high court, and the police commissioner's office – had any sanctity for the mob, and the law-enforcing authorities looked the other way. After showing great hesitation, curfew was imposed not only in Ahmedabad but 26 other towns and cities by the evening of the 28th. The army was called in only on the afternoon of March 1, despite repeated requests by minority leaders and concerned citizens.

Spread of Violence

By then the communal violence had spread to Panchmahals, Dahod, Sabarkantha, Vadodara, Kheda and Gandhinagar districts. In Sardarpur village, near Vijapur town of Mehsana district, a mob attacked a minority mohalla and burnt alive 29 people. On March 2 the violence spread to Banaskantha district. Surat city and Bhavnagar city. For the next three days the north eastern tribal belt of Gujarat, from Ambaji to Narmada, witnessed widespread looting and arson, in which adivasis attacked Muslim shops and bastis. Some stray incidents were reported from the bordering adivasi areas of Madhya Pradesh and Rajasthan. It is not without significance that three months earlier, the RSS had organised a large gathering of adivasis on the theme of 'anti-conversion' presided over by RSS chief Sudarshan at Jhabua, Madhya Pradesh. Tribals from Gujarat, Rajasthan and Madhya Pradesh attended this 'sammelan' in large numbers.

By the end of the first week of March, more than 700 people were killed and Ahmedabad topped the list with 350 deaths followed by Mehsana (more than 50), Sabarkantha (more than 40) and Godhra (almost 100 including the Godhra train victims).

Officially, 14 districts of Gujarat (out of a total of 25) have been affected but if one looks at the statistics and events closely, the main affected areas are central and north Gujarat and the northeastern tribal belt. Although Bhavnagar, Junagadh and Rajkot cities and a few villages in Saurashtra were affected, by and large Saurashtra and Kutch remained relatively peaceful. Similarly, the tribal areas of south Gujarat from the river Narmada to Dangs were unaffected though in 1998-99, 'tribal Christians' and church-run institutions had been attacked by newly-spawned Hindu organizations sponsored by VHP.

Twelve days after the Godhra incident, 60,000 riot victims are in relief camps, of which 40,000 are in Ahmedabad. The remaining 20,000 are scattered in make-shift camps in towns and villages of Sabarkantha, Mehsana, Panchmahal and Anand districts. Most camps are in a pathetic state with insanitary conditions, inadequate rations and medicines. New people join the camps from the areas surrounding Ahmedabad, and simultaneously migrant workers from other states are leaving the camps with their families and going back to their native places in UP, MP, Maharashtra and Andhra Pradesh. A fear psychosis has gripped the people in the camps and most of the Gujarati Muslims are afraid to return to their areas or villages. There is still no clarity about their filing FIRs, compensation and physical rehabilitation. This will pose a big challenge for both the State and civil society but the even greater challenge is to bridge the ever-widening divide and create a climate of confidence and co-existence.

WHY GUJARAT?

What kind of forces have generated this metamorphosis in Gandhi's Gujarat? Probably, more than anything else, the changing self-perceptions of 'Bhadra Gujarat' has contributed most to this process of social degeneration. While 'Aam Gujarat' or Gujarat of the backward and poor people remains passive by not offering any radical challenge to the emerging structure of domination, over the last two decades the elite of Gujarat have initiated a series of upsurges in search of a new identity. The expanding and modernising middle class of Gujarat has been looking for a new identity to validate its present and protect its future. The search has been part of the attempt to cope with rapid urbanisation and industrialisation and the breakdown of caste society among the traditional upper

castes and the absences of traditional validation for the enhanced status of land-owing middle castes.

After the electoral performance of KHAM (the kshatriya-harijan-adivasi-Muslim combine) in 1980, for the first time the upper castes sensed a political and economic threat to their domination. The temporary success of KHAM created the image of a massive transfer of power from the 'ujaliat' or upper castes to the 'pachhat' or backward castes. However the latter hardly tasted the fruits of power. The educated middle class, mainly the Brahmins, banias and patidars reacted sharply by starting an agitation against the reservation system in 1981. The myth of Gandhi's Gujarat – peaceful, tolerant and non-violent – exploded. For the first time in independent India, a modern industrial metropolis stood witness to extreme forms of caste violence. The clashes between the 'savarnas' and the dalits in the industrial periphery of Ahmedabad gradually became a caste war that spread to the towns of 18 districts (Gujarat then had a total of 19 districts) and to many villages dominated by patidars in north and central Gujarat.

The first anti-reservation agitation was aimed at the dalits. Although the issue in the second anti-reservation agitation in 1985 was the hike in job quotas of the non-dalit backward castes, the victims were all dalits. During these two agitations, the Brahmin-bania-patidar combine acquired a savarna unity and a sense of we-ness. By the mid 1980s the message of the VHP, that the idea of savarna had to be supplanted by that of Hindutva as the binding cement for the Hindus, had spread. Earlier the ultimate symbolic target of hate was the Dalit, now it was the Muslim. At last, the Gujarati middle class spread over large cities like Ahmedabad, Baroda and Surat and over at least 40 middle level towns and consisting of mainly savarna and dalit-adivasi government servants, teachers and petty businessmen had begun to foster a new 'brotherhood'. Cut off from their older cultural and social ties, the savarnas had learnt to use the ideology as a ready anchor for rootlessness and as a substitute for traditions, finding security within the ideology of Hindutva. For the dalits and adivasi middle class it was a chance to cast off their 'inferior' identity by joining the expanding Hindutva fold.

While the ideology of Hindutva was gaining ground, moderate voices were getting weaker and more inaudible. By the early 1990s, community leaders reported that they no longer wielded any authority over their youth and the traditional structures of community control had crumbled. In this situation, it was not surprising to

see growing numbers of young people participating in loot and arson and in the scenes of destruction last fortnight, we saw many youngsters from the upper and middle classes participating in the mayhem. These youngsters, in their late teens and early twenties, have grown up on a diet of anti-minority invective, and the voices of moderation, of liberal thought and tolerance have been missing from their environment and not emphasised or valued in their formal education. Also, since the 1990s, the social geography of Ahmedabad has slowly changed, creating Hindu and Muslim ghettos, resulting in declining social interaction between the communities. There are fewer and fewer chances for children to play together and establish any bonds. A decade ago these rampaging youngsters would have been described as lumpen youth but now it appears that we have in our society a growing anomie in the younger generation.

What makes last fortnight's communal inferno different from all the violence experienced before? Large scale looting, arson and even mass burning are not new for Gujarat. In 1992 Surat city in south Gujarat and Mansa town in north Gujarat witnessed mass burning of people. But this time, the violence took a form for which there are no words. Eyewitness accounts from the majority community confirm that not only were young children thrown into the fire, but the wombs of pregnant women were ripped apart and mother and unborn child were burnt. Instances were also reported where the bodies of burnt women were mutilated and desecrated by the mob.

The other was the obviously partisan behaviour, to a significant dimension, of the ruling political leaders from the chief minister and home minister downwards. It is not insignificant that the present chief minister was the architect of Advani's rath yatra in 1990 and the motive force behind the VHP mobilisation from 1985 onwards. Under their leadership, the law enforcing machinery indirectly supported the mobs, allowed large-scale destruction and death, and the duo subverted the state from within. In the present political configuration, a repeat or continuation of this inhuman, numbing violence cannot be ruled out.

Economic and Political Weekly, 16 March 2002

AND THE MASK FALLS

After the Gujarat carnage, the BJP has ceased to be a legitimate party in a democracy

AMULYA GANGULI

The next time a senior BJP leader assures an assorted group of Hindu holy men that 'together we will build a country of our dreams', as the prime minister said before such a gathering in the US, the horrifying scenes of the carnage in Gujarat may flash before our eyes. As those events of murder and mayhem with tacit official connivance have confirmed, the dream of the Sangh parivar is the nightmare of the minorities.

One of the reasons which the BJP used to advance to press its claim to be in power was that it would be able to provide a riot-free society. If the party was partly believed, it was because of the conviction that a stint in office might persuade it to behave responsibly. An allied reason was that since the putative rioters themselves will be in power, they will have no reason to organise one. In fact, Bal Thackeray once wondered why there should be riots since the Shiv Sena was in power. There can be no better acknowledgement of how these parties use riots to mobilise their forces.

Gujarat being the laboratory of Hindutva-in-action, it provided a classic example of how a fascist party goes about its business when it has complete control - or at least as complete as a democracy will allow. The BJP started off its reign with the harassment of Christians. It also tried to inveigle government employees into attending the RSS shakhas till an uproar in Parliament and outside scuttled its plans. Incidentally, the prime minister had tried to justify the move by describing the RSS as a cultural outfit, ignoring its long record of indictments by judicial commissions for involvement in riots.

But these were only straws in the wind. The real fury of a fascist pogrom against the minorities was evident only in the aftermath of the Godhra tragedy. What the selective butchery confirmed is that a party like the BJP is institutionally incapable of discharging its constitutional duties in a secular country. A party which draws its inspiration from Golwalkar's characterisation of the Muslim community as internal Enemy No. 1 simply cannot be trusted to act in an impartial manner during a communal outbreak. There can be

little doubt that even as Narendra Modi is reviled by the rest of the country, he is a hero in the secret conclaves of the Sangh parivar for having taught the Muslims a lesson.

The basis of this attitude is the fascist belief in the Master Race – the Nazis in Hitler's Germany, the Whites in South Africa under apartheid and Hindus in a putative Hindu rashtra. Everything else follows from this conviction – the assertion that the Hindu faith has precedence over a judicial verdict, the reading of history only from a Hindu perspective, the persistent demonisation of minorities culminating in the police being held back from intervening in a 'mass agitation', Narendra Modi's words for the Gujarat riots.

What is pertinent in this respect is that the distinction that is drawn between moderates and extremists in the Sangh parivar is a facile one. There is little to choose so far as the broad saffron approach is concerned between the prime minister, who masquerades as a poet, the home minister who likes to be compared with Sardar Patel or the education minister whose study of physics (!) has made him a believer in astrology. At the end of the day, they remain committed to a Hindu rashtra where the minorities will have the status of serfs.

They may not be able to say so openly and still claim to owe allegiance to the Constitution, but both their deeds (as in Gujarat) and their words, as in Advani's evidence before the Liberhan Commission show that all of them – the poet, the Sardar Patel wannabe and the weirdo in the HRD ministry – may well be members of the Bajrang Dal. Who else but a Bajrangi will categorise a riot as a popular agitation or compare the Somnath–to-Ayodhya yatra with the freedom struggle?

Just as for Advani, the riots which marked his rath yatra were not worth mentioning before the commission since he only saw devotion in the eyes of the people from his chariot, for Narendra Modi, the killings in Gujarat were nothing but a Newtonian law in action. This indifference towards the suffering of the minorities follows from the belief that they do not really belong to this country – as Hitler thought that the Jews did not belong to Germany or the White supremacists think that the non-whites have no right to live in countries ruled by the whites.

Therefore, people like Advani cannot even conceive of using the POTO against the VHP since, in his mind, it has an unwritten clause stipulating that the draconian law is meant for Muslims only. It is the same mindset which makes the prime minister say, for

form's sake, that the riots in Gujarat were a shame, but take no action against the aider and abettor of the shame – Narendra Modi.

The communists also make such a distinction between citizens. To them, the bourgeoisie are not people. But in their case, the consequence is the flight of capital, not a riot, although the communists also theoretically justify violence against 'class enemies'. However, after the decline of the Congress, the communists have at least managed to rule states like West Bengal, Tripura and Kerala for fairly long periods.

After Gujarat, however, the BJP has forfeited its right to rule. Its brief dalliance with secularism evident in the temporary shelving of pet projects like Ayodhya is now coming to an end. The party's and the Parivar's sectarianism simply will not allow them to function within the ambits of a democratic society, whose essence is adherence to the law. But since fascists (and the fundamentalists of theocratic countries) follow their own blinkered vision, there was no question of the VHP not upping its ante over the temple issue.

Nor would it have done so if it wasn't sure that the BJP shared its views on the breaking of mosques and the building of temples in their place. So the VHP couldn't have been surprised when Attorney General Soli 'Saffron'jee called for allowing a puja near the disputed site. But as this outrageous proposal showed, the BJP has realised that its game is up. The Gujarat riots have revealed beyond all doubts where its loyalties lie – with the *bhagwa dhwaj* which flutters over the RSS headquarters in Nagpur and not the Indian Constitution which makes no distinction between citizens of different religions.

Having bared its fangs in Gujarat, it now hopes to fight the next election in its true colours, and not as a pseudo-secularist bound by the NDA manifesto. But like the Naxalites with their violent revolutionary creed, the BJP with its violent communal agenda can hardly be regarded as a legitimate constituent of a modern secular democratic system. As the UP results have shown, the electorate is also waking up to this grim reality.

Hindustan Times, 18 March 2002

THE AGONY OF GUJARAT

K. N. PANIKKAR

For five days from February 28, Ahmedabad, the city of Gandhiji's early experiment with non-violent politics, witnessed an unprecedented communal carnage. What made it unprecedented was that it was not a communal riot, the fury of which Ahmedabadis had in ample measure in the past. It was a state-sponsored, state-supported and if the eyewitnesses are to be believed, even state-directed attempt at ethnic cleansing. From the RSS Pracharak Chief Minister to the police constable in the street everyone appears to have 'admirably' performed his role. While the RSS and VHP goons went around the city armed with lethal weapons, gas and oxygen cylinders and petrol, the state machinery stood aloof, permitting full play to the mayhem. The names of least two Ministers are mentioned by many victims as instigating and directing the crowd. Both the Chief Minister and the Home Minister are accused of either involvement or abdication of duties, which ensured that the police did not take adequate steps to contain the violence. Hundreds of telephone calls were made to Ministers, to police officials and other Government functionaries from different localities for succour, only to be greeted with indifference and in many cases with scorn. Are we not citizens of this country, asked a young businessman in the Paldi area, a middle class locality in which quite a few apartments owned by Muslims were set on fire?

To ordinary citizens, the state is a protector, which enables them to lead their lives without fear. Today fear is writ large on the fact of the members of the minority community of Gujarat, for they are suddenly faced with the partisanship of the state, without any other source to look to for support. This helplessness is the result of the state and its institutions turning communal in the wake of the BJP's coming to power. But for the communal character of the state and its antipathy towards the minorities, the carnage in Gujarat would not have taken place. Narendra Modi's Gujarat is a blueprint of the future, if the Indian state comes fully under the control of the Sangh Parivar.

The attempt to justify the mass murder of the members of a community by the Chief Minister, the Police Commissioner and a host of BJP-VHP leaders on the grounds of its being a spontaneous

reaction is appalling. Invoking Newton to lend credence to their deformed minds is an insult to the great scientist. What happened to the passengers of the Sabarmati Express is indeed a heinous crime, which deserves to be sternly dealt with, but the sequel to it is much more than a reaction. The instance was well planned and executed with meticulous precision. The methods adopted and the manner in which the violence was carried out leaves no doubt that long preparation had preceded the event. It is believed that a militia drawn from the VHP and the Bajrang Dal was trained for quite some time. The strength of the crowds that moved around the city was in thousands, well equipped to kill, plunder and destroy property. At any rate, they knew what to do, including how to cut open safes and selectively target establishments. The Godhra incident was the occasion and not the reason for the carnage that followed. The reason is the communalisation of the Hindus, which the Sangh Parivar has carried out during the last many years.

The generalised violence which engulfed a major part of Ahmedabad, is bound to have multiple motives. Among them economic interest and religious hatred appear to be dominant. Although religion is a common denominator in the violent incidents all over the city, the former [economic interest] has played a decisive role in the affluent areas. The city broadly falls into two economic and social zones. The old city on the eastern bank of the Sabarmati river is relatively poor with more well marked religious community settlement. The western side, on the other hand, is the new business district and the residential area of the affluent class. The upwardly mobile Muslims who have considerable business interests in this area are an eyesore to the middle and business class supporters of the Hindutva brigade. A marketing agency was recently employed to prepare a census of Muslim business establishments, the purpose of which was not then realised by anyone. The gangs which went around the city and systematically destroyed Muslim business premises were well equipped with their names and addresses. Even their looting instinct which was otherwise quite evident did not induce them to target the nearby Hindu establishments. The very first sight of the destruction of property one comes across while driving from the airport to the city is the charred remains of Moti Minar, a hotel owned by a Muslim. More than 1,000 restaurants, all of them vegetarian, located on the highways of Gujarat and owned by the Chelliya community of Muslims

have been destroyed, Abid Shamshi, who was forced to leave a mixed locality in which he had lived for more than 30 years, fears large-scale migration of Muslims. He feels that the Muslims who have considerable business interests in the State can hardly afford to risk their investment. His fears are not misplaced. In the Naroda fruit market, 17 Muslim-owned shops have been gutted. Even a fruit shop jointly run by a Muslim and a Hindu, Ebrahim and Ramanlal, for the last 40 years was torched. Hardly a single Muslim business establishment has been spared. The Hindutva message to the minorities, as Prof Shamshi says, is clear: there is no place for them in the nation, except by sufferance.

The colonies on the east bank witnessed the most brutal violence. These are colonies inhabited by poor Muslims, most of them daily-wage workers, living in hutments clustered together in narrow lanes. They were raided by thousands of well-armed VHP-RSS activists, in some areas led by local leaders. One of the worst-hit areas is Naroda where the entire colony of more than 5,000 inhabitants was repeatedly attacked, subjecting women to unprintable atrocities. Ram Sajeevan Saroj who was a witness to the attack said about 15,000 people roamed the area from 9 a.m. till late in the night. The police were conspicuously absent, leaving the locality completely under the control of the armed mob. One of the activists tried to alert the police and the Home Minister without any success. About 700 people were reportedly killed in Naroda, some of them pushed into a well. Several women were gang-raped and the number of young girls missing is not yet certain. Similar incidents were repeated in almost all colonies. Consequently, those who were able to escape have fled for camps run by NGOs and other organizations. Incidentally, the Government has not so far come forward in an effective manner to provide succour. Another target of mob fury was the places of worship. About 30 mosques and dargahs have been razed to the ground. The events of the last few days indicate how brutalising communalism is. It destroys all noble sentiments in human beings. Gujarati society was ravaged by its worst manifestation. But even in such frightening situations what is essentially humane asserts itself. In different areas where the Hindutva goons had let loose a reign of terror, several Hindus have tried to protect and help the victims. But RSS pracharaks such as Mr Modi, incapable of such response, are pushing the nation to a dangerous brink. If India is not to be decimated by a civil war as in

the case of Bosnia, the agony of Gujarat should not occur again, anywhere in the country. Does our political class have the foresight and energy to ensure that?

The Hindu, 19 March 2002

SACK MODI, BAN THE VHP

Secular parties should launch a mass campaign to defend the Constitution against Hindutva

PRAFUL BIDWAI

We have recently heard much elevated rhetoric about the inherent 'tolerance' of all religions, replete with quotes from Gandhiji. Some of this always sounded unconvincing when mouthed by followers of the same ideological current to which Gandhij's assassin belonged.

Now that these practitioners of cant have 'settled scores' in blood with their Islamic adversaries in Gujarat in the ratio of 12:1 (704 Muslims officially recorded killed in numerous pogroms vs 58 Hindus killed in Godhra), their protestations stand exposed as dangerous and fraudulent.

But it is important to note *secular* 'tolerance' too, of the variety practised by the BJP's allies in the NDA. They have long equated tolerance with indulgence and condonation of forces in the Sangh Parivar well to the BJP's right. They have tolerated their hate-speech and hate-crimes in the name of freedom of expression, and worse, 'sentiments' of certain 'communities'. They have also whitewashed the organic links between these forces and the BJP's parliamentary wing, led by Atal Bihari Vajpayee.

Thus, these 20-odd parties, half of them from former socialist tendencies – who ought to have known better – deluded themselves that the BJP's dramatic jump from two Lok Sabha seats in 1984 to 117 in 1991 could be separated from the temple campaign's success, although L.K. Advani has himself candidly admitted it could not be. They imagined Vajpayee to be a secular 'liberal' although he has never once disowned the Sangh-is-my-soul identity.

They allowed Vajpayee to hijack their agenda on two crucial issues: in 1998 nuclear weapons and reviewing the Constitution – which were never part of their own manifestos. Their response was

supine when he implemented that agenda at Pokhran at the RSS's behest – without consulting them, including his own defence minister.

These same 'tolerant' groups, which admittedly have no stake in rewriting textbooks in order to deny India's multi-cultural, multi-religious character throughout history, or in promoting religious hatred, failed to restrain born-again ideological Taliban like M.M. Joshi from embarking on his 'revolution' in education. They did nothing to stop his purge of institution after cultural institution - to sow hatred, prejudice, rank superstition and illiteracy.

True, these allies got worked up in September 2000 when Vajpayee declared to a hardcore-Hindutva audience in Staten Island that he would forever remain a swayamsevak and work towards building the 'India of my dreams', naturally complete only with a Ram temple at Ayodhya.

They were upset, when three months later, he said the Ramjanmabhoomi campaign was a 'national' and not a parochial-sectarian, movement. But they allowed themselves to be pacified with patently specious, transparently disingenuous 'clarifications' typical of Hindutva-style doublespeak and Brahmanical sophistry.

The allies' own commitment to projecting a multi-cultural identity for the NDA seems both limited and compromised by crude power calculations. They have been scarcely bothered that their cabinet has just one Muslim, and that there is a shameful legacy of under-representation and exclusion, for example, of Muslim women. Their cumulative number does not exceed the single-digit figure in all our Lok Sabhas and Rajya Sabhas put together.

By the time Vajpayee last year legitimised the VHP's March 12 'deadline' for starting temple construction, and made his shocking February 19 speech in Varanasi, chiding Muslims by telling them the BJP does not need their votes, the allies had succumbed to a well-defined pattern of Hindutva hypocrisy based on low cunning, devious denial and dishonesty.

None of them went beyond proforma tut-tutting. None seriously objected to that disgracefully sectarian and exclusivist address, which was wholly unbecoming of a prime minister.

Throughout the past three weeks, they have failed to demand that Vajpayee visit Gujarat, acknowledge the magnitude of the carnage and solemnly promise to punish those guilty of unspeakable barbarities against Indian citizens.

The time has come for the allies, to shed this indulgent 'tolerance' bordering on gross appeasement of Hindutva. What happened

in Gujarat was not a communal 'riot' but an organised massacre of Muslims with the State's active complicity and connivance. Agency after government agency was suborned and yoked by communal killers to bestial ends. Thousands of officials have been guilty of grave dereliction of duty.

To this day, Narendra Milosevic Modi continues to humiliate and terrorise Muslims. He calculatedly fails to protect their life and property. He has inflicted unbearable conditions upon refugee camps: six toilets for 3,000 people; and 60 grams of wheat in daily rations. His government's existence is an affront to constitutional democracy.

Last week, Ayodhya saw disgraceful appeasement of forces inimical to democracy, through the agency of the attorney general – who demeaned his office by pleading the VHP's case before the Supreme Court, through the Ayodhya cell in the PMO, and politicised civil servants, including a former Faizabad district magistrate and police superintendent.

The court restrained the government from allowing the VHP to symbolically start temple construction. Yet, PMO official Shatrughan Singh officially received the shilas, stipulating that they be the first to be used in the building. The Orissa vandalism was a response to the strong signals of appeasement of Hindutva - emanating from the apex of the government.

Clearly, each day the Vajpayee-Advani leadership continues in power, institution after vital institution of democracy, central to the defence of the citizen's life and limb, gets compromised. Even the possibility of the civil service maintaining political neutrality gets corroded. There is a straight, direct, irresolvable clash between the continuation of the NDA government and the minimal requirements of democracy – one sharper than in 1977, when the Janata Party split on the issue of 'dual membership' and loyalty to Hindutva.

Confronted with this conflict today, the BJP's secular allies are called upon to join the opposition in making two sharp, well-focused, modest demands on Vajpayee: send Narendra Modi packing, and ban the VHP and Bajrang Dal nationally.

The first demand arises from the grim situation in insecurity– and terror-bound Gujarat. The second from the fact that nothing short of proscription can rein in the compromised agencies of the state and signal the Centre's sincerity about defending the Constitution, its own democratic mandate, and its sole source of legitimacy.

The NDA allies should learn something from the first Janata split. Not only was it inevitable; those who joined hands with the ex-Jana Sanghis, like Chandra Shekhar, got utterly marginalised and discredited. The Sanghis, including Vajpayee, stabbed them in the back and formed their own party in 1980.

The NDA was engendered by a cynical calculus based on the BJP's weakness – its inability to come to power without its secular allies. It has shrewdly used the allies to advance its own long-term agendas through the parivar, especially the VHP, Hindutva's main instrument today. Asked to choose between them and its own parivar, the BJP will discard them like squeezed lemons – as in 1977.

More broadly, all secular parties have a pressing obligation today: defend the Constitutional values of secularism, pluralism, an impartial civil service, social cohesion, and democratic decency. They must take to the streets to fight Hindutva. They must staunchly oppose POTO which in today's circumstances can only be a crude communal weapon. The time has come to choose between bestiality and constitutionality.

Hindustan Times, 22 March 2002

INDIA IS NOT FOR HINDUS ALONE

A totalitarian vision defiles Indian civilization

SUNIL KHILNANI

Not long ago, on a rainy London evening, I found myself at the Festival of Hindu Youth. Parked outside the vast marquees set up for the occasion were fleets of shiny cars, and inside the tents were prosperous families. Almost all had their origins in the Indian state of Gujarat – the region that, over the past weeks, has been swept by violence. I was there to give a talk about Mahatma Gandhi, the most extraordinary Gujarati ever to have lived – a man who, defying the prejudices of his society, practised a pluralist and tolerant faith, fought against the evil of caste, and gave his life in trying to end violence between Hindus and Muslims.

In fact, there were few at the festival interested in Gandhi or his message. Instead, I listened to speaker after speaker working on the audience in televangelical style: exhorting the youngsters to stand up for their Hindu religion, to defend their caste identities, and to face down other religions that might intimidate them – especially Muslims. In a north London suburb, I was witnessing the very sentiment that today is ripping up the India that Gandhi and his heir, Jawaharlal Nehru, had worked to build. The clash is between two ways of envisioning India: an idea of India that finds strength in the country's profound diversities, and that has tried, in a striking and original experiment, to invent ways that allow these to cohabit within a single political frame; and, set against this, the dream of a nation purged of other religions, of an India that is homogenous and ethnically cleansed – the Hindu extremist ideology of *Hindutva*.

Gujarat is the only Indian regional state ruled by this ideology. As such, it offers the starkest image of what Hindu nationalism, should it ever gain unrestrained control of the Indian state, will mean for India and its future.

Gujarat has long been considered one of India's most developed states. Its per capita income is over three times that of India's poorest state, Bihar, and its frontrunners are closely linked with a large, economically powerful Gujarati diaspora across the globe. Gujaratis have a reputation for being industrious and entrepreneurial, civic minded, and even (it sounds laughable now) pacific. Their reputed virtues make them an epitome of the Indian middle class – and there is, too, a successful Gujarati Muslim bourgeoisie (indeed, Gujarati Muslims, who form around 12 per cent of the state's population, are among the most assimilated in India).

Yet, literally and sickeningly, Gujarat is today the crucible where the alloy of Indian selfhood is being tested. This region has hardly been immune to religious violence in the past. But this time, things are very different. The causes and the stakes of earlier Hindu-Muslim clashes were local. Now, the violence is impelled by a larger story about what kind of place India should be; and the immediate cause – the attack at Godhra by Muslims on a train carrying Hindu activists back from the northern town of Ayodhya - is in events elsewhere.

Most important, the violence against Muslims that followed the train attack was not the work of spontaneous mobs of the illiterate or impoverished. As the police commissioner of Ahmedabad himself

stated, 'These mobs were being led by the educated people – advocates, doctors, the rich.' The looters drove cars, and dialled mobile phones. At their helm were politicians and party activists from the ruling Bharatiya Janata Party and its umbrella of supporters: the Vishwa Hindu Parishad and its 'youth wing', the Bajrang Dal, virtually terrorist organizations of thugs trained in arson and killing, and the Rashtriya Swayamsevak Sangh, whose members assassinated Gandhi in 1948, a movement founded in the Twenties under the inspiration of Mussolini's Brown Shirts. Standing behind them were the BJP leaders in New Delhi who head the national government.

Together, these men showed a lethal determination to exterminate all signs of Muslim presence. Alongside the most brutal murders, Muslim businesses, homes, mosques, shrines and tombs were precisely targeted.

The ambition to make India a Hindu nation-state has existed since the late 19th century. Why has it acquired such a devastating force now? One of the remarkable achievements of India's half-century-old experiment with democracy is that, over the past decade or so, the lowest and poorest in the caste and economic order have entered the world of electoral politics. Regional lower-caste parties have proliferated, and have challenged the position of the upper-caste orders. At the same time, the agrarian middle castes, many of them newly prosperous, have felt threatened by those immediately below them pressing for political recognition.

Indeed, Gujarat in the late Eighties and early Nineties was the location of some of India's worst caste violence. Hindu extremism has always drawn its support from these upper and middle castes – economically and socially powerful, but numerically small. Constrained by electoral politics, the BJP strategy has therefore been to unite support around a 'Hindu' vote. In search of a permanent majority, it has tried to draw in other less privileged social groups by using a rhetoric of hatred and religious symbolism and inciting fear of enemies – the repertoire includes Pakistan, Muslims, Christians, the West. It has created a 'monster' Hinduism – a potentially immense coagulation of support that defies all traditional forms of Hindu practice and belief.

The state of Gujarat has been the chosen laboratory for the Hindutva experiment. The BJP's 'family' of supporters has a stranglehold over public life in Gujarat – in recent years, they burned churches, ransacked an exhibition by India's leading painter

(who happens to be Muslim) and gained control of the media (they tried to shut down independent television coverage of the current carnage, which showed BJP politicians participating while police stood by idly).

Today, if you are a Muslim, a Christian, or a tribal, living in Gujarat - if you are not a Hindu - the authority of the state has ceased to protect you. Among the 30-odd regional states of the Indian Union, many contend for the prize of being India's leading dystopia. Now, Gujarat has placed itself well ahead. What is happening there reveals the depth of the threat facing Indians today.

So far, the legal constitutional order of the Indian state – which refuses to privilege any one religious community and guarantees security for India's many numerically small but historically deeply-rooted religious groups – has despite serious battering, remained in place. In the 55 years since the horror of partition, the Indian secular state has, in fact, been able to restrict the number killed in Hindu-Muslim riots to around 8,000 (another 3,000 Sikhs were killed by Hindus in 1984). This is an unforgivable blot on the face of any secular state. But it's worth setting this figure against the background of India's demographic scale, its deep divisions, and the profound stresses democratic change is bringing to the society.

This could now change. The leaders of the BJP, the prime minister, Atal Bihari Vajpayee, and the home minister, Lal Krishna Advani, are committed to a totalitarian vision. It is one that defiles Indian civilization – a civilization that in truth is the mongrel creature of diverse cultures, impulses and ideas.

It is time for patriotic Indians across the world to stand up and to renew the idea of India that Gandhi, Nehru and the generations who fought for India's independence stood for. If we do not, India will cease to be itself.

The Telegraph, 25 March 2002

SAFFRON SISTERHOOD

An Illusory Promise of Power

LALITHA PANICKER

A recent post-riot event in Gujarat has gone largely unnoticed in the media. When an apathetic state administration finally moved to bring some of the guilty to book and chargesheeted a few policemen, few thought that justice would actually be done. But, in the case of one arrested policeman, a 2,000-strong mob of women gathered outside the station where he was held demanding his release. After an initial show of reluctance, the administration dropped the charges. We have heard horror stories of the role the police played in these riots. Far from protecting innocent Muslims, in many places they connived actively with the murderous mobs. Why then did women come out to defend a criminal? The answer is chilling - the communalisation of women which began during the Ayodhya agitation over a decade ago has now increased several notches.

This is not a new phenomenon, but nevertheless is one of the more frightening manifestations of the growing brutalisation of society. Women's active participation in riots or communally charged incidents has increased over the years; indeed newspapers and TV channels have been carrying pictures of women applying tilak on kar sevaks, urging them to go into battle, women brandishing swords and women on the streets throwing stones at the riot police.

What happened in Gujarat is not a surprising development, the Sangh Parivar and similar organisations have worked systematically to indoctrinate women and encourage them to be a part of their larger agenda. The modus operandi has been quite simple; encourage the woman to think that the presence of the 'other' is a threat to the purity and honour of the Hindu family and that she as the custodian of family values must do everything to defend it. Including taking to the streets if need be. Suppressed by a patriarchal system where her opinions are of no account, the woman is given a false sense of importance. Here are powerful men asking her to be part of their movement, to fight shoulder to shoulder with them. It is a heady feeling, one in which she is quite willing to be exploited for her 15 minutes of fame and glory.

Many years ago, interviewing members of the Rashtriya Sevika Sangh, the women's wing of the RSS, highly educated members proudly told me that the women's primary duty was to be a home maker. Working outside the home, they felt, brought women into contact with men other than their husbands, which was not desirable for the stability of the family unit. Had they come to this conclusion on their own? No, this was the teaching imparted at classes conducted by their male counterparts. The role of the home maker is imbued with some sort of sanctity which would be lost the moment a woman expresses a desire to do something beyond nurturing the family.

Yet, women are rarely given any real power within the hierarchies of these organisations other than to disseminate propaganda. So we had the phenomenon of a Sadhvi Rithambara or an Uma Bharati, both excellent orators, trotted out at convenient moments to spread the sangh's word. While Rithambara has now been put in mothballs, Uma Bharati, who so daringly disguised herself as a man to reach the disputed site in Ayodhya in 1992, has been able to get some amount of official recognition, but it has not been a smooth ride for her. She has time and again expressed her disillusionment with the campaign against her when she stepped out of the pre-determined role that her organisation had drawn up for her.

Now, in the aftermath of Gujarat, where by all accounts, Muslim women and small children were particularly targeted by the mobs, there has not been a single voice raised in condemnation from any of the Hindu women's organisations. Even if such sentiments were to exist, it is fairly certain they will never be heard.

Women from economically weaker sections are particularly vulnerable - joining a shakha is seen as a means to economic empowerment via the income-generating activities on offer and to acquiring a ready-made support system. The Gujarat riots saw a widening in the social base of women who do not question the excesses of the fundamentalists and instead co-operate wholeheartedly with them. Reports from women's groups tell of middle and upper class women participating in looting alongside men. Not one of them expressed any horror at the carnage visited on their Muslim women counterparts.

This suggests that we ought not to labour under the delusion that, left to themselves, these women would be more bothered about bread and butter issues and not the mandir or Muslims. In her essay, *Heroic Women, Mother Goddesses*, Tanika Sarkar, quotes

some of [sic] women present in Ayodhya in 1991. Chandravati, a kar sevika from Aligarh said, 'We have come here to shed blood... the meaning of temple building is that mullahs should be hanged...' Another would-be sanyasin from Ghaziabad said, 'This country is as deep as the ocean, as endless as the sky...the Hindu is the beginning and the end'.

Perhaps, no other organisation professing to represent Hindus has been quite as efficient as organising women on communal lines as the Shiv Sena. It has been able to get women onto the street to prevent its male leaders from being arrested, even to prevent help from getting to Muslim areas during riots. In fact, they actively goad men to greater violence taunting them with insults like 'shall we give you bangles?'

The same women, however, do not find it objectionable when the Sena's male leaders publicly make sexist pronouncements. The Sena has repeatedly made it clear that feminine power is being harnessed not to give women greater autonomy or power but as a tool to propagate and participate in communal hatred. But when violence is perpetrated against women within the family, the advice given to them is to try and 'adjust'.

In the aftermath of any riot, we have seen that the law enforcement agencies invariably overlook the role that women play in them. Despite being active participants and displaying no less blood lust than their male counterparts, women are rarely apprehended or charged with their crimes. After their moment of 'glory' on the streets, they retreat to the anonymity of their homes. It is a singular failure of the Indian feminist movement and liberal women's groups that they have not been able to focus more on this communalisation of women and campaign against women becoming pawns in a dangerous game which will bring them no tangible benefit.

The Times of India, 25 March 2002

THE DAY MY SPIRIT DIED

J.S. BANDUKWALA

It is almost three weeks since my daughter and I escaped the violent mobs ransacking a home we loved and finally a city that had

been my karmabhoomi for many decades. I find it hard to comprehend that all the human relationships established over the decades could not save our home from the mob. What went wrong? Could I as an individual have done anything to prevent the violence in Godhra and later throughout the state? It was Wednesday, February 27, 3.30 p.m. I was performing an experiment on optics when my peon informed me of trouble outside. A bogey of the Sabarmati Express had been torched at Godhra station. Many kar sevaks had died. Immediately a shiver ran through my spine. The Muslims of Godhra had done a very ghastly thing. The insanity of a few would result in a heavy price for Muslims in Gujarat. As a first step, the burning had to be condemned in a public statement. Fortunately, many newspapers carried my denunciation quite prominently. I was just praying the storm would pass away quietly. But fate willed otherwise. Raised in the 1950s on a diet of Gandhian idealism, I dedicated my life to communal harmony and the service of the poor and the helpless of India. That led me to give up an American green card and join Baroda University in 1972. Thirty years later, that idealism is passing through fire. The most important failure was my inability to read the Sangh Parivar correctly. I was convinced that as I lived my life in as secular a manner as possible, with total commitment to the country, the RSS would accept me as an Indian first and a Muslim afterwards. Just one day earlier, the Baroda Savarkar Samiti had invited me to speak on Savarkar Day. I was the first Muslim to be ever so invited. They heard my views on the need for harmony between all faiths. What is more, they were most appreciative that I came to their gathering. Then the next day disaster struck. I lost my house, my books, my car and, most important, my inner spirit, as my co-religionists had done something horrible 100 km away. My idealism, my patriotism and my sacrifices for the country were irrelevant to the saffron brigade. What mattered was that I was born a Muslim and, therefore, was a foreign element in their narrow view of nationalism. As a Muslim I would not want a masjid to ever come up at the Ayodhya site. My Allah is a god of peace and mercy. He would be very angry that so many innocents have lost their lives just so that a masjid be operational at that spot. If Hindus want it, let them have it. The only condition I would place is no more demands on other masjids. And for that too, I would only take the word of the Kanchi seer. He is a truly spiritual person and his word would be morally binding on Hindus as a whole. L.K. Advani's contribution to the English language is the

word 'pseudo-secularism'. Being a politician to the core, he may not realise that India has no choice but secularism. Any move away from secularism will just reduce India to a magnified version of Rwanda or Bosnia. Secularism is not a goodwill gesture to Muslims. Had it been so, Sardar Vallabhbhai Patel would not have it. The statesman that he was, he knew that India could only emerge as a dynamic world power if all her citizens were treated as equals.

There are 140 million Muslims spread over every taluka of India. Their spread and their involvement at the local level is so deep that the VHP slogan of 'kabristan or Pakistan' can only be laughed at. Incidentally, the loss of lives in Gujarat, while horrible, was covered up by the natural growth of Muslims in the country, in just one day.

Equally dangerous is the RSS propaganda that Muslims are a pampered community. Repeated surveys have shown that Muslims constitute the poorest of Indian society. It is understandable, as most Muslims of India are Dalits who have converted. With reservation policies, the conditions of Dalits have improved, while Muslims are totally on their own. Can someone tell me where is the pampering? Polygamy is cited as a special privilege for Muslims. Here too census figures show that the maximum number of polygamous marriages are among Buddhists, then Jains, adivasis, Hindus and finally Muslims. Is it still a case of pampering?

I hope the RSS realises that Hindu nationalism needs something much more than just a 'hate Muslim' platform. Their intellectual supporters, such as Arun Shourie, should apply their mind in this field. Nevertheless, I want my fellow Muslims to rise above this hatred.

Allah is Rabil Alameen, Lord of Everything. He's not Rabil Muslimeen, Lord of Muslims alone. In that sense all men, including Hindu, are our brothers. It is sad that a Hinduism that could produce such icons as Vivekananda and Gandhi is now represented by the likes of Ramchandra Paramhans and Praveen Togadia.

How can a society function with a public sanctioning of violent killings of another community? To lionise a 15-year-old for raping and killing an innocent Muslim girl shows the rot in the VHP. How do we explain rich people gleefully looting Muslim shops? In the final analysis what counts is the character of the people in an organisation.

One last question: who gave the Muslim Personal Law Board the right to represent all Muslims, including myself? Similarly, what

right has the VHP to speak for all the Hindus of the country? How many MPLB members have suffered at the hands of the VHP?

I have, and therefore can claim a right to suggest a solution to this vexing Ayodhya problem.

It is time these self-appointed custodians of Muslim and Hindu interests are told categorically that they have no business to interfere in Ayodhya.

Outlook, 1 April 2002

WHO ARE THE GUILTY?

Punishment and confidence building in Gujarat

DIPANKAR GUPTA AND ROMILA THAPAR

Narendra Modi's eyeball-to-eyeball confrontation with the Prime Minister was really quite a mild affair. Mr Vajpayee upbraided Mr Modi, but in the mildest manner possible. He was not even rapped on the knuckles! Instead of pulling him out of his chair, the Prime Minister suggested a variety of confidence-building measures to the errant Chief Minister. He was asked to construct homes for those affected, find them jobs, give them armed escorts, get businesses to contribute to their relief and rehabilitation, and so on. Not once was it mentioned that the Government of India would use all its power to punish the guilty – and that this also included Mr Modi.

Unfortunately, the demand to punish the guilty is not on the agenda of the Opposition either. All they want is the removal of the Chief Minister. This is really political gamesmanship. Of course, Mr Modi ought to go, but if he sinks alone and is not weighted down by those other criminals who killed, burnt, maimed and looted, then he might emerge as a political martyr. To bring credibility to Mr Modi's ouster, he needs to be punished along with all those who are actually red in tooth and claw. This includes those who torched the railway coaches in Godhra as well as those who stalked and killed Muslims in Ahmedabad, and elsewhere in Gujarat, in recent weeks. It is indeed a sad reflection on the politics of our times that the Opposition has not come out with such a demand.

This is not the first time that a Government is directly implicated in fomenting and leading communal riots in the country. The

1984 killings of Sikhs is a cruel predecessor of what happened recently in Gujarat. The way the civil liberties groups mobilized in 1984 was, however, quite remarkable. Instead of doing social science and discovering caste and class antagonisms behind the killings, the People's Union for Democratic Rights (PUDR) and the People's Union for Civil Liberties (PUCL) jointly conducted a first rate social forensic study and brought out a report entitled 'Who are the Guilty?' The data in this little booklet were compiled on the spot by the PUDR activists in Delhi even as they went about trying to bring relief to the besieged Sikhs. This booklet named those who were directly involved in the murder and mayhem, it gave evidence of responsible politicians leading mobs from the front, and it also carried authentic eye-witness accounts. This booklet went shock waves all the way up. Though a thousand manoeuvres were dreamt up by the Government in power, the fact that the perpetrators of the killings were named made it very difficult for even these people to emerge again as legitimate political actors. 'Who are the Guilty' should be indeed be a prototype of how citizens can respond to riots in this country. It is obvious that citizens can no longer sit on the sidelines when communal carnages occur in the belief that the state machinery will do its job and punish the guilty. Most of those in the state administration see themselves as Government servants and not as servants of the public. This is why they are not as mindful of citizens' interests as they are of the wishes of the Government in power. In such a situation the public must assert itself and demand the names of individuals who led and participated in the communal killings, regardless of which community they may belong to. It is only by putting such people on trial that confidence can meaningfully be restored in Gujarat. This will also send warning signals to all would-be rioters in the future. As Justice Verma, Chairman of the Human Rights Commission, recently commented, police inaction in Gujarat is tantamount to police complicity. If the guilty are tried and punished then this will also expose another lie on which communalists thrive. The popular assumption is that these sectarians are as willing to die for a cause as they are to kill for a cause. This is a complete fallacy. None of the hotheads of the RSS, the Bajrang Dal or the Vishwa Hindu Parishad will ever die for a cause. In which case, why are they so willing to kill for a cause? The answer to this is very simple. It is because they know that no harm will come to them, as they enjoy active or tacit protection from the Government of the day. It is cover of this sort

that makes sectarian activists appear so frightening. Take away the Government support and they will all expose themselves as paper tigers.

It is time now to remember how Jawaharlal Nehru handled the RSS and the Hindu Mahasabha when he was at his best. Partition had just happened and Hindu sectarians were having a field day, even in the city of Delhi. Nehru did not reason and plead with them. He locked them up in jail whenever they broke the law. When Mahatama Gandhi was assassinated, Nehru again acted swiftly and unambiguously. He banned the RSS and other allied organizations and exposed their shallow bravado. The leaders of the RSS made several overtures to Nehru (and Patel) to lift the ban against them. Golwalkar even tried to curry favour with the Government by promising to fight communism. In a letter to Nehru he said the ban on the RSS should be lifted so that the swayamsevaks could help the Government in ridding the country of the red menace. No mention now of the Muslims, nor of any other religious minority. When that did not work the RSS tried satyagraha, which was again a flop. Eventually the RSS leadership had no option but to agree to a written constitution as demanded by the Government. This constitution had to clearly state that the organization would treat all faiths with equal respect and would refrain from entering politics and resorting to violence.

Nehru was clearly not intimidated by the rhetoric of these sectarian Hindu activists and simply called their bluff. It was Nehru's uncompromising stand against communalists that allowed the Congress to win election after election from the perfervid post-Partition days right up to 1967. The best way of fighting communalists is not by tiptoeing around them in the hope of letting sleeping dogmas lie, but by taking them on frontally every time they break the law.

Mr Vajpayee would like Mr Modi to find jobs for the devastated, get industrialists to donate money, Bhuj style, hold hand with the aggrieved families, even set up goodwill marches, and so forth. All sweet talk and a few pieces of silver! What the Prime Minister has cleverly sidestepped, and what the Opposition has not pressed upon him, is that nowhere has he asked of Mr Modi : 'Who are the guilty?' Without raising this issue, no amount of relief and goodwill missions will help in restoring confidence in Gujarat. If the guilty are not punished by the due process of law then this might engender cynicism, and, what is worse, vigilante-style reprisals – both of which

are deleterious to the well-being fo the country as a democratic republic. As citizens we have the right to demand that the guilty be punished first! And Mr Modi is not the only one we are thinking of.

The Hindu, 2 April 2002

2002: A SAD ODYSSEY

Who will keep the peace today?

MUSHIRUL HASAN

I share with you the following reminiscences of encounters with Mahatma Gandhi and Jawaharlal Nehru. I found these in the A. P. Benthall papers at the Centre for South Asian Studies, Cambridge. Scene One: In the autumn of 1947 Gandhi arrived in Calcutta and stayed in a tumble-down house on the outskirts of Calcutta, near one of the scenes of the worst Hindu-Muslim riot. Soon, he realised that one of the principal causes of the rioting was the poverty of the people and the terrible conditions under which some of them lived. Hundreds of thousands of people had no roof over their heads at all, and millions lived in the slums of the worst description. He therefore summoned leading businessmen of all descriptions in order to rebuild Calcutta. He wanted the project to be completed within two years.

Benthall, vice-president of the Bengal Chamber of Commerce, set off to the rendezvous, but on the way encountered a riot. 'Bombs were exploding and guns were being fired, and the streets were littered with glass and stones,' he wrote. When he reached the house, he found Gandhi sitting at a low wooden platform, spinning, and wearing only a loincloth. A small girl was sitting on the platform near him, apparently learning to spin, or perhaps ministering to his needs. Twenty minutes after the Gandhi-Benthall meeting, a mob of young Hindus broke into the house. They were furious because the Mahatma's influence had prevented them from organizing a general massacre of Muslims throughout Calcutta. They demanded that he immediately withdraw his opposition – and if he did not, they would kill him. The Mahatma did not stop spinning. One of the young men then aimed a blow at his head with a

lathi. The little girl sitting beside him caught the blow on her arm. Gandhi continued to spin.

Nobody else in the crowd then had the courage to strike the Mahatma again. They merely vented their fury on the building, pulled the window frames out of the walls, smashed the doors, and reduced the scanty furniture to matchwood. And yet, from the moment when the little girl saved the Mahatma's life, the rioting in Calcutta ceased, and nothing of the sort occurred in the city for a good many months.

Scene Two: From 1947 to 1950 Benthall represented on numerous occasions the Bengal Chambers of Commerce and the Associated Chambers of Commerce of India. In these capacities he had numerous meetings with Nehru, sometimes in company with others, and sometimes tete-a-tete. He recalled his visit to Calcutta, soon after Independence, to combat the rioting and massacres that were taking place in Bengal. The prime minister sat at a desk which had on it a large inkpot, some pens and pencils, and the weighty volume of Thacker's Indian Directory.

A discussion took place about how best to combat the communal ill feeling. It proceeded on sensible lines for some time, but after a bit some Marwaris made an impassioned appeal for the Indian army to go into East Pakistan to rescue the Hindus, who, it was alleged, were being massacred there.

Nehru listened for a short time, but then suddenly appeared to lose his temper. He picked up the directory, raised it to the full length of his arms above his head, and brought it smashing down on the desk. This action he repeated three or four times, with greater and greater force. The ink-pot, pens, etc, bounded on to the floor. He accused the Marwaris of deliberately planning a war and a massacre of Muslims, though they themselves were prevented by their Jain religion from taking up arms or even crushing a mosquito. He continued with extraordinary eloquence until the Marwaris slunk out of the room, leaving only people from other communities to listen to the prime minister. Shortly after that the discussion returned to a minor key, and the meeting dispersed.

In fact, added Benthall to his description, no Hindus were massacred in East Bengal at that time, though hundreds of thousands were being driven out to take refuge in West Bengal. Nehru was of course right in refusing to send the army across the frontier, and his violent reaction to such a suggestion was typical of the man.

Scene Three: This is a brief glimpse into what happened in Calcutta after Independence and Partition, and the long downward spiral since. Gujarat 2002 is different. The nature of the times, of leadership, and of communal riots itself, has changed. Narendra Modi, who has virtually written the script of murder, death and destruction, holds the reins of office in that state. The targets have been so utterly ordinary. A pregnant Muslim woman. School children. A housing colony. Worst of all, the very idea of inter-community peace has been destroyed by the chief minister and his VHP-Bajrang Dal goons. Their narratives, inspired by the evil-minded ideologues of the RSS, continue to feed hatred and prejudice. His presence is the greatest threat to Gujarat's well-being. Already, the fact of the violence permeates daily life in its cities. Hence, his return to the shakhas in Delhi as an ordinary swayamsevak may be the only way back to hope.

While the print and electronic media broadcast a steady stream of reports on Muslims under fire, their homes and commercial establishments destroyed, their children killed, the prime minister chooses to holiday. He should have been in Ahmedabad providing the healing touch, and not in Nainital. The attitude of his lieutenant, George Fernandes, continues to be opportunistic. Having given Modi the clean chit (remember how he shamelessly exonerated the administration after the murder of Staines) he now deserves not a knighthood or an OBE, but a pair of khaki shorts from the RSS headquarters. He has the unique distinction of presiding over the liquidation of what little is left of Ram Manohar Lohia's legacy.

Meanwhile, the RSS diatribe against the Muslims goes on, with its chief asking them to fall in line. His is an ominous warning. What if they don't? A repeat of the Gujarat carnage? I hear Ariel Sharon saying the same sort of nasty things in Tel Aviv. Clearly, there is a residue of the old fascist attitudes that spawned the RSS policies in the 1930s and '40s that ultimately led to the assassination of the Father of the Nation. The silver lining in this otherwise dismal picture is the role of the media and the activism of the secular forces, led by left-wing parties and groups. The Congress too, has given up its lazy habits, and the Italy-born Sonia Gandhi is, indeed, perceived as the guarantor of secular peace in this country.

The Indian Express, 3 April 2002

IN THE GHETTO

Gujaratis Live in a Segregated Society

SAJEDA MOMIN

Headmasters of English medium schools in Ahmedabad are being terrorised so that they throw Muslim pupils out of their institutions. Militant VHP workers have been marching into the headmaster's offices of posh English schools demanding a list of their Muslim students. When headmasters have refused, veiled threats have been made suggesting it would be in their interest if at the end of this academic year Muslim students were given their transfer certificates. Worried headmasters have called Muslim parents and quietly urged them to remove their wards as they can no longer guarantee their safety. As if to drive the point home, gangs of VHP hoodlums ominously hang around school gates hoping to identify Muslims. These are the latest tactics in the RSS/VHP/BJP bag of tricks that are being tested out in their laboratory – Gujarat.

Housing

The VHP's long term agenda has been to segregate Hindus and Muslims; their conduct in the last 15 years proves it. Once there is no contact between the two communities, the seeds of distrust can mushroom into hatred whenever required as it was done during the anti-Muslim pogrom last month. Lack of association between the two communities means that VHP propaganda can be swallowed without any point of referral, there would be none to counter it. This invokes memories of Adolf Hitler's storm troopers who acted out the belief that Jews were the root of all evil. The commonly used caricatures of Muslims with four wives and therefore more children who would soon outnumber Hindus; of Muslims being terrorists and anti-nationals supporting Pakistan, will be believed more readily by the average Hindu if he has no contact with the average Muslim.

It is just over a month since the gruesome Godhra incident and Gujarat is nowhere near back to normal; if the VHP have their way, it never will be. Narendra Modi can well pat himself on the back for a job well done; by his lights he has achieved what he set out to do - he has polarised the state along religious lines in such a way that the damage done to hearts and minds will take years to repair, if at all. The fact that this was his aim all the while is proven by the

triumphant wave he now rides and hopes o encash at the next polls. At what cost?

Gujarat since the mid-80s has been a VHP stronghold. In fact it was the same Narendra Modi who was sent by the RSS as a pracharak to Gujarat to spread the word, and he seems to have done his job well. Methodic penetration has meant that there is a unit of the RSS/VHP in almost every village and town of the state, with cadres who can be called to serve at a moment's notice. By the late 80s the BJP had already started reaping the political benefits of this infiltration by wresting control of many of the local bodies and municipal corporations.

The growth of the VHP was coupled with more and more incidents of communal riots, particularly in the larger cities like Ahmedabad where there was a substantial minority population. The rioting led to feelings of distrust between the two communities, which was then fed by RSS/VHP disinformation campaigns. For security reasons the new housing colonies in the expanding cities belonged to one or the other community. Gujarat is the one state in India where real estate developers actually designate blocks of apartments meant only for Hindus or only for Muslims. There are very few mixed societies like the Gulmarg in Ahmedabad, established by secular people like former MP Ehsan Jafri who did not approve of ghettoisation. Jafri paid for his beliefs with his life when he with his family members was brutally killed in February.

Business

By the early 90s many of the more affluent Muslims who had moved out of the old city into the posh areas hoping to give their families a better standard of living were forced to move back into Muslim ghettoes out of fear. During the Feb-March massacres the remaining few Muslim apartment blocks and housing colonies in the expensive Hindu localities were systematically targeted and destroyed. Even an apartment block in which a sitting High Court Judge lived was not spared. Those Hindus who could afford to move out of the old city shifted to the suburbs, completing the ghettoisation process. This suited the RSS/VHP as it meant that their rumour mills could work overtime and the schism between the two communities could be widened with disinformation.

Gujarati Muslims like their Hindu brethren are essentially traders. The Bohra, Aga Khani and Khoja communities, all Gujarati Muslims, are trading communities, inherently timid by nature but

industrious and enterprising; they are found all over India and abroad. Many Gujarati markets and business are dominated by these communities. The VHP has been systematically trying to break their economic strength in the last two decades. The current pogrom was aimed at breaking their very backbone. The manner in which shops, restaurants and business belonging to Muslims have been looted and burnt down proves the point. The CII has put a rough estimate of the loss incurred in the five days of violence at Rs. 2,000 crores. Pedantic identification of Muslim shops and businesses and their systematic burning, particularly in the more upmarket localities, has ensured that a Muslim businessman, even if he has the money, will think twice before he restarts his business in non-Muslim areas. To put a final nail in the coffin, the VHP has been circulating leaflets urging Hindus to boycott Muslims economically. Do not buy from them (Muslims) or sell to them, or buy products made by them and so forth, so that the RSS/VHP aim of economic segregation can be fulfilled.

Administration

In the state administration and other public sector organisations, once the BJP came into power both in local bodies and in the state government, the unstated policy was not to employ minorities. Of those already present in the system Muslim officers were sidelined to insignificant postings. At the time of the March pogrom none of the 8 Muslim IPS officers of Gujarat were in a field post and of the 65 minority inspectors only two were handling field jobs. The massacres of Muslims were only possible because of the partisan behaviour of the police. At the lower level, the Gujarat police has been completely communalised with minorities simply not recruited. The state has more than 10,000 home guards most of who are VHP or Bajrang Dal members.

So now, in a situation where Hindus and Muslims do not live together, work together, trade together, there is only one area of life where there is still some contact - education. The middle and upper classes, irrespective of their religion, aspire o send their children to English medium schools so as to give them a better start in life.

It is here, that the future generation of the country's intelligentsia is created, and it is here that the RSS/VHP wants to strike next. Rewriting textbooks to alter history has already been achieved in Gujarat. The aim is to segregate educational institutions so that Muslim children are forced to study only in local government

schools or Muslim-run institutions, and so hinder their chances of achieving higher educational standards and brighter prospects.

The government's partisan policy is obvious from the fact that in previous years when there have been communal riots, board exams for standards X and XII have been postponed. This year when the state is hit by the worst violence since Partition, with about 2 lakh people taking shelter in relief camps and with relatives, exams are on schedule. Why? Because it is only Muslim students who have been affected by the violence, insecurity and curfew - and it doesn't matter!

Now with headmasters unable to guarantee the safety of their pupils because of VHP threats, how many Muslim parents will take the risk of sending their children to mixed schools? For any parent the child's safety is paramount. What next?

The Statesman, 4 April 2002

CAUGHT IN A PITYING GAZE

An endless wait for Kaifi's New India

SAEED NAQVI

On his return from Pakistan some years ago, my brother Shanney made an observation which his JNU friends preserve as something of a gem. 'Nice country,' Shanney said thoughtfully. 'But too full of Muslims.' It pains me to reflect whether it would be possible to extract from Shanney a statement of such exquisite simplicity in the post-Gujarat context.

The spontaneity of what Shanney said is not a function of wit. It is the expression of his entire being, of which the Hindu-Muslim cultural strands are an organic part. In Pakistan Shanney found himself shorn of the multiple identities which define all Indians: he was perceived as an uni-dimensional Muslim. He had grown up with Jatin, Raghu, Farid, Nasir, George, Rukhsana, Gillian. He found a total absence of non-Muslim names an unfamiliar, even disconcerting context.

But after Gujarat and the high tolerance level in New Delhi for the atrocity? Mind you, Gujarat is not the only pain we carry, all

the other hurts, including Partition, we glossed over because the task at hand was an engaging one. Wrote Kaifi Azmi in 1949: '*Naye Hindustan mein ham, nayi Jannat basaayenge*' (We shall build a new paradise in our new India).

Imagine the pain Kaifi must have felt, as he groped his way on a dark night of the 1993 Bombay massacres, up the staircase leading to the apartment of his mentor and friend Ali Sardar Jafri. Jafri's Kemp's Corner apartment block was threatened by arsonists. Did you ever hear Jafri or Kaifi complain?

Or take my friend Jawed Laiq who, along with his wife Bharati, held my hand one terrible night last week. His late father, Professor Nyyer Laiq Ahmad, was principal of Bombay's Elphinstone College in the 50's, a historian with a catholic vision. His mother was a Congress MLA and among the earliest delegates to the Human Rights Commission in Geneva.

During the Bombay riots Jawed found himself in the entrance hall of his Churchgate apartment building, elevators, in front, the walls on either side lined with nameplates of the occupants, mostly owners. Rusted screws on old nameplates are difficult to pull out. Here was Jawed, candle in one hand, a screw-driver in another, diligently pulling out the nameplate, Prof N. L. Ahmad, so that arsonists and murderers may not find the way to his mother on the floor upstairs. Pulling out your father's nameplate must be like leaving a gap in the heart. But have you seen Javed beat his breast?

My daughter Farah, after eight years of education in the US, returned with a much prized immigrant visa, the stepping stone to the green card which opens the door to paradise for every young aspiring Indian, even those related to prime ministers. One day Farah asked me if I could speak to Frank Wisner, then the American ambassador in New Delhi. A thought crossed my mind that my daughter was possibly exerting pressure on me to facilitate her transition from immigrant visa to green card. 'No, no,' she said. 'On the contrary I feel extremely incomplete carrying an immigrant visa on my passport.'

At least until then, the immigration department of the embassy of the US in New Delhi had never received such a request. Farah wished to surrender her immigrant visa which, she said, made he feel like she was keeping a dark secret. Since she was travelling to the US on a private visit in the next few weeks she wanted an ordinary visitor's visa. Oh, how proud my mother was of her grand daughter's wonderful attachment to her Indian nationality.

The ironic twist to the story came years later. Farah began to work for Nirantar, an NGO dedicated to working among rural women. Returning from Banda, UP, by train one day she had her first rub with communalism. Being a social worker she was comfortable talking to the passengers, many of them women. They were average sort of people, not rich, not the poorest. At one station they all unanimously resisted into the compartment the entry of a family which was quite obviously Muslim, since the woman wore a burqa.

Farah thought they had not been allowed to enter because the compartment was full until an anti-Muslim tirade picked up as soon as the train left the station. A kindly looking elderly man, noticing Farah's silence, offered her an apple which she gently refused. '*Lay leo bitiya, ham bhi to tumhare tarah Hindu hain, koi Musalman to nahin hain*'. (Take the apple, daughter. After all I am also a Hindu like you, not a Muslim.)

Notice the irony? Here is a Muslim girl who has proudly asserted her Indianness (the visa incident), faced with the first signs of prejudice against her community. Has anyone heard Farah rue her decision?

The other day our youngest daughter, Zeba, visits her gynaecologist in New Delhi. The nurse announces her name, muttering loudly enough for all to hear. 'Where have these Muslims come from?' Zeba's bewilderment has to be seen to be believed.

Why, remember when my wife and I hunted for a house in Delhi. Ultimately, Kuldip Nayar, my resident editor then, intervened to get us a house in South Extension in the 60s. We did not make much of it.

Every now and again my uncle sighs when he talks of Mir Taqi Mir's grave in Lucknow. Mir would be to Urdu what Wordsworth was to English literature. A rail track cuts right through the spot where Mir's grave would have been. Just imagine how Bengal would have reacted to such desecration of Tagore's memory. But have we said anything?

Voiceless wailing has no audible amplitude.

During the ongoing continuous, Gujarat massacres and pogroms, choreographed I presume by Ahmedabad as well as Delhi, the mobs destroyed the grave of Wali Dakhini. Dakhini comes from Deccan because legend has it that Wali was born in Aurangabad but lived all his life in Ahmedabad and Surat. He was Urdu's first great poet, rather like Chaucer in English. '*Koochai yaar, ain Kashi hai/Jogia*

dil wahan ka basi hai'. (My beloved's neighbourhood is like the holy city of Kashi where the yogi of my heart has taken residence).

Oh, how I used to show off the fact of my being an Indian Muslim. Statesmen, politicians, journalists, diplomats of every conceivable country (particularly from Pakistan) were constantly subjected to my original mantra: Indian secularism protects, among a billion others, the world's second largest Muslim population and every issue, including Kashmir, must be addressed keeping this fact in mind.

Just look what you have gone and done.

In Gujarat you robbed me of my mantra. How will I cope with all those people I once confronted with rare self assurance when they now fix me in a questioning, pitying gaze?

The Indian Express, 5 April 2002

INDIA DIMINISHED

Secularism as a Moral Advantage

G. PARTHASARATHY

Prime Minister Vajpayee recently sent delegations to Islamic countries across the globe to put across our perspectives on the recent escalation in tensions with Pakistan. I visited Egypt, Syria and Jordan as a part of this initiative, in a delegation that included a young MP of the Indian Union Muslim League, Abdul Samad Samdhani. During our discussions with leaders, journalists and academics in Cairo, Amman and Damascus, Mr Samdhani spoke eloquently and convincingly in English and Arabic about the inherent strengths of India's secular and pluralistic society. He strongly rejected Pakistan's pretensions about Kashmir as an affront to Indian secularism.

As our delegations traversed the Muslim world, the articulation of Indian political figures like Mr Samdhani, Najma Heptullah and Shabana Azmi greatly impressed foreign leaders about the strength of Indian secularism, and the correctness of our stand on Kashmir.

The communal carnage that has engulfed Gujarat has shown once again how fragile and vulnerable our secular structure is. It is

difficult to explain to the world how and why the state that gave birth to the greatest apostle of peace and non-violence of the 20th century, Mahatma Gandhi, could become the scene of the barbaric cruelty that we have witnessed in recent days. The media and people across the world are raising several queries. How was the mob in Godhra so well prepared to respond to the taunts and misdemeanours of a few miscreants describing themselves as kar sevaks in such a horrendous manner?

Why did the ruling establishment in Gujarat pander to these so-called proponents of the Hindu dharma and facilitate their travel to Ayodhya? What possessed sections of the otherwise peace-loving middle class in Ahmedabad, Rajkot and Vadodara to turn on their neighbours and loot shops and empty buildings like ordinary criminals? While people in India and the world community are familiar with the cynical misuse of religion by our political elite, the manner in which ordinary and otherwise law-abiding people have joined or endorsed the communal frenzy in Gujarat has led to serious international concern about the strength and resilience of our commitment to values that have won praise and admiration in the comity of nations.

I was in Iran recently attending a conference where one of the Pakistanis present spoke of the threat to the Islamic world from an emerging 'India-United States-Israeli Axis'. What surprised me pleasantly was the vehemence with which some of the Iranians and others present ridiculed the Pakistani thesis.

They referred to India's traditional policies of independence and to its democratic and secular ethos. But, in private, they expressed their sadness at what was happening in Gujarat and their concern about a possible weakening of our secular fabric. Few countries have condemned and opposed the Taliban as strongly as Uzbekistan, where religious extremism is put down with an iron hand. It saddened me to listen to concern voiced about developments in Gujarat by young Uzbek students who hold our democratic and pluralistic society in high esteem, when I was in Uzbekistan a while ago. It is our commitment to secular and democratic values alone that accounts for the respect we enjoy today in the world. There would be no moral basis for our case on Kashmir if Indian secularism were weakened.

While the orgy of violence in which innocent people have been targeted and killed in Gujarat has shocked the world, one cannot ignore the pronouncements of some of the high dignitaries and

officials in the state. Chief minister Narendra Modi sought to rationalise the violence in Ahmedabad and elsewhere. One was likewise shocked to hear the police commissioner of Ahmedabad P. C. Pandey, proclaim that his police force could not remain immune to prevailing communal sentiments in the state. Mr Pandey is known to be a 'good cop'. There is little doubt that he was under pressure from his political bosses. But officials of the All India Services should remember that their oath of allegiance is to the Constitution of India.

Not surprisingly, India is being severely criticised by the international media for the events in Gujarat. While the Godhra massacre is being referred to, there is also considerable media attention being given to the provocative statements and misbehaviour of the kar sevaks prior to the massacre. More important, the very commitment of the Vajpayee government to the secular ideals enshrined in our Constitution is being called into question. Sadly, all this is happening at a time when the world is prepared to support us in our struggle against cross-border terrorism. Are the perpetrators of communal violence in Gujarat , whether in Godhra or Ahmedabad, not mirror images of the Lashkar-e-Taiba's Hafiz Mohammed Saeed in Pakistan? Does not the inaction and communal prejudices shown by the governmental machinery in Gujarat provide a rationale for Mohammad Ali Jinnah's pernicious two-nation theory? We can defeat the challenges posed by Pakistan only if India and Indians define their nationhood in tolerant, pluralistic, democratic and secular terms.

India is today at a defining moment of its history. We are regarded across the world as a country of talented, tolerant people with immense potential to contribute to human welfare and well-being. But for this potential to be translated into action, we have to reaffirm our commitment to the ideals that motivated the father of the nation and the founding fathers of our Constitution. A nation is not respected merely because it possesses nuclear weapons. It invites condemnation if its society is perceived to be intolerant or bigoted. It is precisely because of this that the events in Gujarat have damaged our image and standing in the comity of nations. Hinduism has faced and overcome challenges over the centuries because of its ethos of tolerance and powers of assimilation.

The Shankaracharya of Kanchi recently proclaimed: 'Hindus and Muslims must live in this country like Ram and Lakshman'. He told the prime Minister. 'Building a Ram temple illegally is an insult to Maryada Purushottam'. One does not have to destroy mosques,

vandalise state legislature buildings or attack missionaries to prove that he is a good Hindu. Likewise, one hopes that the Muslim community will ostracise leaders who hold the Taliban to be a role model and promote separatism in their midst.

One hopes that with the passage of time the wounds that the recent communal frenzy in Gujarat has opened will heal. The people of Gujarat would do well to remember the prayer that Mahatma Gandhi loved: *Ishwar, Allah, tero naam, sabko sanmathi dey Bhagwan.*

The Times of India, 5 April 2002

WE ARE ALL GUILTY

MALLIKA SARABAI

I stand amidst the ruins of civilisation as I knew it. In a penumbra that seems unending. In a winter fog where 'our' kind get into their fancy cars and loot and pillage while SMS-ing friends about the best places for satisfying unbridled greed. In a land where 'friends' speak a language of vile hatred. In a state where Kubera is the only mantra and Lakshmi the only woman to bed. In a city where the R word desecrates humaneness.

I accuse. For they have taken away my pride at being a human being, the smile that lurked on my lips when I spoke of my city. They have emptied my wardrobe of the colour saffron. They have taken away my joy of belonging to a land of understanding and compassion for difference. And the ability to say with a glint in my eye that I belong to the people who gave Gandhiji his non-violence.

I accuse, for they have turned us all into puppets, pulled by the strings of selfish opportunism. Into a voiceless, gutless race. For having taken away the worst names we could call those others: animal; junglee; rakshasa; beast. For leaving us with only one name derogatory enough for what we have become: mankind.

I accuse, for I have let myself be numbed into docility. Into feeling that I could get on with my work and things would be all right. That ultimately good would prevail. For letting the educated and 'should know better, should care more' group become the silent majority neutered by the vociferous lunatics set on self-destruction.

For letting myself become a part of that silence. For trusting incorrectly. For letting everyday inanities dull my soul to the genocide being planned and executed.

I accuse. We have become a country of the blind and the deaf, the self-centred and the soulless. We have become a country where our leaders lead us on superfluous paths of promises. Where leaders have become bleeders. Where warped priorities become the toast of the town while reality withers with the disenfranchised.

Was it always this way? Am I old enough to hanker after 'the good old days'? I am sure I remember a time, not so long ago, when we were not known by caste alone but as people. When values were not yet the red spit that paan-chewers bloodied the walls with. And when you could have a conversation at a dinner table without someone you knew well saying. 'Serve the bloody people right, they need to be wiped out once and for all'. I remember a time when school children still stood up for the national anthem. A time when something was sacred, valued, beyond bigotry.

I accuse, for I, we, have allowed things to come to this pass. I, we, have given a new meaning to the period called Kalyug. I, we, have become the Mahishasuras that swallow and destroy the world. Our only answer, our only sanity lies in plumbing our depths to find the Mardini in each of us, that vanquishes the Asuras. There are no external solutions left. There is no 'we' and no 'they'. We are them. Myself and every citizen of this once great nation.

Yes, I accuse. Myself and every citizen of this once great nation.

Mainstream, 6 April 2002

NO, PRIME MINISTER

Mere Histrionics Will Not Heal Gujarat

VALSON THAMPU

Atal Behari Vajpayee, the private-citizen-poet, did quite well in Gujarat. Even the formidable and embarrassing presence of Narendra Modi, the self-appointed inheritor of Sardar Patel's mantle, did not inhibit or intimidate him. He gave vent to his personal feelings. All but wept in anguish. It went down well, we are

told, with the victims and their victimisers alike. And that is no mean achievement!

As for Mr Vajpayee, the Prime Minister of the Union of India, it was another matter. He created the impression that he was running hard only to remain stationary. More than a month ago, he saw the man-made tragedy of Modi's Gujarat as a *kalank* on the country. Not long thereafter, he felt death was preferable to being praised by the VHP-Bajrang Dal activists who mounted a terrorist assault on the Orissa Assembly. Now he goes all the way to Gujarat, full five weeks into the holocaust, to tell the victims what is only too obvious to them: that it is not right that they are reduced to 'refugees' in their own homeland. These words would have been just fine, but for the fact that Mr Vajpayee spoke them rubbing shoulders with the very man who let these hapless women, men and children become the 'refugees' under reference and remains unrepentant about it.

Then, when for a moment, the Prime Minister in Mr. Vajpayee became operational, he was left with only one major hassle: how would he face the people abroad, with this kind of perfidy at home? All at once, the gigantic sorrows of the terrorised, systematically uprooted Muslims of Gujarat were reduced to just one thing: a loss of face for the Prime Minister in his foreign jaunts. As if these occasional embarrassments were a greater calamity than the fact that several people in these camps had their dear ones killed, women gang-raped, mothers made to see their pregnant daughters ripped open and the foetuses in their wombs thrown to the gutters. The PM does not seem to have wondered how these lesser mortals would live with these haunting sorrows and crippling traumas for the rest of their lives.

The problem with Mr Vajpayee is that he does not seem to know when to act like a poet and when to respond like a Prime Minister. The poet in him springs into action when the Prime Minister should. Saying that he would rather die than be praised by hooligans and hoodlums is all right for a poet and a private citizen in a situation of outrageous civic anarchy. But such sentimental words, unaccompanied by sensible executive action, are woefully inadequate from a Prime Minister who is sworn to uphold the Constitution and defend the rule of law. Luxuriating in verbal sympathy for the victims, without due strong confidence-building measures, does not amount to an authentic prime ministerial response. By and large, Mr Vajpayee's responses, especially when they dripped with

sentiments, amounted to a confession of helplessness. No Prime Minister who believes he can handle the situation effectively needs to say, 'I would rather die than...' You would not want to punish the offenders with your sentiments, if you can check their misdemeanour. It is a pity that the man on whom the rest of the country, including the present author, reposed unprecedented faith and expectations, now reveals himself woefully unable to stand between India and anarchy.

That people other than the victims of the Gujarat carnage and far beyond the borders of that unfortunate state are disappointed with Mr Vajpayee's handling of this crisis is evident from the letters to the editor in various newspapers. One among them deserves a special mention. Mr B.R.P Bhaskar wrote from Trivandrum reminiscing how Mrs Indira Gandhi responded to the 1969 riots in Gujarat. 'She was in Nagaland,' he writes, 'when she received word of the conflagration in Gujarat. Instead of returning to New Delhi, she flew straight to Ahmedabad.' Now, more than a month into this huge and agonising human tragedy, Mr Vajpayee reaches the state to mouth sentimental platitudes without the will to arrest the ongoing national shame. Some months ago, when the *India Today* popularity poll showed Mrs Indira Gandhi lead Mr Vajpayee by miles (42 per cent as against Mr Vajpayee's 13 percent), I had thought it was somewhat unfair to Atalji. Now I am left hoping that another popularity poll may not be taken in the near future.

This is an object lesson for all other political leaders who, rather than respond sincerely and adequately to this unspeakable human tragedy, hold back either in anticipation of political profit or in apprehension of electoral loss. They should know that it is in a time of crisis, such as what looms large over Gujarat, that their stature as statesmen and leaders is put to the test. All of them seem to vie with each other in proving Mr Vajpayee superior, in comparison. At least this seasoned politician has some strong words and calibrated sentiments to splash in public. Others seem to lack even this.

Reminiscing an episode of considerable political sensitivity in Punjab in the early Eighties, Nirmala Deshpande, who was particularly close to Mrs Indira Gandhi, says, 'A delegation of Congress from Punjab came to Mrs Gandhi to urge her to deal with the situation in a manner that would profit the Congress in the state. Indira admonished them saying, ' Congressmen must think for the country and not for the party. The country must come first, party

second.' Narendra Modi in Gujarat and Atal Bejari Vajpayee at the Centre, for all the avowed *desh bhakti* that the Sangh Parivar has patented for itself, need to introspect on this count. Also the leaders of all other political parties. The ultimate political bankruptcy is that a chair seems larger and more important than the integrity and inviolability of the nation itself.

Having visited Gujarat and personally encountered much of the ground-realities there, the present author is greatly concerned that the unity of this country is being pawned for the sake of some hypothetical political profit either now or in the future. But the good thing is that the people of Gujarat, other than the committed and indoctrinated camp-followers of the Parivar, have seen through this political profiteering at the expense of their own welfare and future. There is widespread anxiety and frustration in Gujarat today. This is palpably acute in the business community which, next to the victims, continues to pay for the anarchy that reigns in Gujarat at present. Soon this will begin to needle other segments and snowball into an avalanche of public indignation that could jeopardise the very survival of the BJP.

Everybody, other than the die-hards in the Parivar, is convinced that Gujarat will not be healed unless Narendra Modi is packed up. So long as Mr Vajpayee and his cohorts continue to dodge this bottom-line truth, the people of Gujarat will continue to be convulsed by these communal fits and frenzies. Given Narendra Modi's track-record in office, he cannot have the moral stature or authority to talk of peace or appeal for it. It is not clear who else in the BJP ranks has the required stature, if only some of our politicians would resist the temptation of appearing on the small screen defending the indefensible in ways and styles that make them and their spectators utterly uneasy! Let the residual elements of public respect and personal dignity be protected at all costs: for they are in such short supply in the political arena at the present time.

The Prime Minister has got it utterly wrong if he assumes that he has discharged his obligation to the people of Gujarat by making a tear-jerking speech in the Shah Alam Roza camp. The people of Gujarat are desperate. A desperate people expect decisive action, not an over-plus of sentimentality. Mere sentiments sans commensurate action degenerate, sooner or later, into theatricality. The more people are moved by Vajpayee the poet's words today, the more indignant they could get at Vajpayee the Prime Minister to-

morrow. At any rate, palpable frustration and resentment are mounting in these camps. The Muslims of Gujarat have lost their faith in the state administration. The VHP-Bajrang Dal goons have lost what little respect for the rule of law they might have had. The hellish synergy between these two factors could plunge the state deeper and deeper into anarchy and bloodbaths, all of which could be avoided with a little bit more statesmanship and constitutional consistency on the part of the Prime Minister. It is not too late even now. We can only hope and pray that the situation will be remedied before it is too late.

The Asian Age, 9 April 2002

GUJARATI PRINT MEDIA

Culprit Second to None

BATUK VORA

You ask any literate member of the 5,50,000-strong minority community in Ahmedabad (out of 45 lakhs) or 60,00,000 of them (out of a population of 5 crores) all over Gujarat, who played the most communal or criminal role during this carnage, and he or she will invariably shoot a reply 'Two things: the police under Narendra Modi, and two leading Gujarati daily newspapers, *Gujarat Samachar* (GS) and *Sandesh* (SD)'. You ask any Hindu fanatic about these newspapers and he or she will certainly give them a clean chit.

Ask the same question of Bhupat Vadodaria, veteran and highly respected literateur-journalist and at present the editor of the Sambhav group of newspapers (the dailies *Jansatta* and *Sambhav* and the weekly *Abhiyan*). He will not spare any word from the dictionary of foul words to narrate in detail the wild character of both those papers and their 'editors/proprietors'. He has worked with both of them for a decade each in the past. He was also once the director of the information department, Government of Gujarat. His opinion has obviously some weight. He accuses both of regularly collecting monthly 'fees' from the government, 'through threat and blackmail' whoever may be in power. 'They observe neither minimum media ethics nor do they care for any other moral,

constitutional or political authority in order to achieve more and more wealth,' he says. 'This time also, they have printed most unfounded, unbalanced and inflammatory stories as during all the past riots,' he asserts. At the same time, he showed his own papers to prove how to describe the daily events of mayhem in a matter of fact style without any commentary.

Shreyans Shah of GS says: 'This is absurd. We check and cross-check each story. We understand the pulse of the masses better than anyone and we always side with their feelings. We never publish any unfounded story.' He admits that the sale of GS went up by more than 50,000 copies during this carnage. Total sale was more than around 8,00,000 – higher than any other.

If you ask Mallika Sarabhai, well-known danseuse and social activist, what she would like to say about this claim of GS's, she will say:

'Don't go just anywhere into the distant past. Read the GS story published prominently in italics on the back page on April 8.' It named Mallika as the one who invited Medha Patkar to her peace meeting of NGOs at Gandhi Ashram on April 17, and says it was she who asked police to beat up the journalists. While all the other newspapers and TV channels published Mallika's clear denial of having invited Medha Patkar to the meeting, GS did not.

Falgun Patel of *Sandesh* asserts in his highly authoritative tone: 'I would defend the Hindu community at any cost. We have been enough harassed and killed by the Muslims. We have suffered too much. It is time to pay them back. You do not know the minority community here at Ahmedabad. If you know you will never trust them. Each and every one of them knows who burnt down the coach number S-6 at Godhra. They will never behave till you teach them the lesson of their life. I do not care about ethics or government policies or any other factor when it comes to defending the Hindu interests'.

Incidentally the whole of Gujarat knows how both the print groups have carried a sort of 'tribal was' for decades and how they do not exclude any method of 'attacking' and 'exposing' each other every now and then. Even physical attacks are not ruled put. Both deny any competition but others say their competition is not 'healthy'.

When asked what would become of the whole state's economy with the losses due to such mayhem, Patel says, 'We should be ready to pay any price to teach them a lesson.' When he is shown a news item in his paper quoting to an IB official saying that 'Haj pil-

grims were going to return here with lots of weapons and a scheme to retaliate on a massive scale', and the same official's denial of having said that – his paper did not publish that denial – he says: 'We have a policy not to publish any such denials. We have our own sources and we stick to them.' When shown a news item in which news is mixed with a lot of commentary, he says; 'We always use commentary to "explain" the news.'

Looking at the last thirty days' issues of both papers, their position becomes more than clear. Day after day, page after page on each day of mayhem and killings, they published huge colour photographs of corpses on front pages (they say it was because they had to compete with the TV channels): they used highly inflammatory language to describe burning or killing or destroying properties and most of the time never missed a chance to use a community's name or persons' names. This further surcharged the already tense atmosphere.

Both GS and SD take the strong exception to the 'imbalance and one sided' projection of events by the Star News and Aaj Tak TV channels. 'It is they who played havoc, not us,' they pointed out. SD even goes further and blames the channels for 'a clear pro-Muslim' bias. Gujarat and its print media are not strangers to the communal riots. The national electronic media, however, is comparatively new to an understanding of the roots or the psychology of such conflicts in Gujarat. If we ask the common man about the role of TV, the average viewer will acclaim the way they covered the events. 'It would have been impossible to know the truth without their playing a big role,' says Dhirubhai Patel, a social activist.

The present carnage, both the Godhra killings and its aftermath, looked like the father of all those riots of the past here in – 1969, 1982, 1985, 1986, 1991, 1992 and 1993 – in terms of the open state patronage and also in ferocity, for at least 840 hours when most of the death and destruction took place (not in 72 hours!)

Coming straight to media ethics, it may be examined in the following way:

Section (A) of the code of ethics laid down by the All India Newspaper Editors' Conference in reporting and commenting on communal incidents, in particular, laid down in 1968 that: 'All editorial comments and other expressions of opinion, whether through articles, letters to the Editor, or in any other form should be restrained and free from scurrilous attacks against leaders or communities, and there should be no incitement to violence.'

The Press Council of India went even further and ordained that

journalists should 'be accountable to their readers, listeners, viewers and each other. Journalists should: Clarify and explain news coverage and invite dialogue with the public over journalistic conduct; encourage the public to voice grievances against the news media; admit mistakes and correct them promptly; expose unethical practices of journalists and the news media.'

I would like to avoid any further commentary and ask the readers to judge the media by themselves on the basis of the following data: On Feb.28, the day after the Godhra incident, SD carried an 8-column headline on top of its masthead that read: '60 Hindus burnt alive at Godhra' with a big picture of a red and dark burning coach with a mob surrounding it. The same edition flashed the 'news' inside that 'helpless women were trying to free themselves from those devils' grip,' and even more: 'two corpses of mutilated young women found with breasts cut off.' No source was mentioned or cross-checked. Yet another news item said: '10 to 15 young girls kidnapped by a crowd in a religious frenzy surrounding the train.'

Incidentally, GS published a denial with a three-column headline next day saying: "The news of ladies' breasts having been cut off or their having been kidnapped was not true."

Worst of all, SD and GS published red and dark coloured pictures of burnt corpses several times during those 8 days, in sizes of four to eight column widths, four to seven inches vertically. It is not difficult to imagine the impact of such pictures on the minds of people throughout Gujarat. They poured fuel on the fire without any doubt, according to a host of people this writer talked to.

Again in the GS: 'One dozen Muslim shrines, dargahs and mosques destroyed and the mobs established stone-flag of Hulladia (riotous) Hanuman.'

Bal Thackeray's provocative statement was highlighted on the front page of the GS: 'Throw such secularism into the fire. Hindus should hide their tail between their legs as if they lived in Pakistan. What should we do when the PM himself called for stopping the temple construction at Ayodhya?' The same paper published a boxed item with a commentary against the first peace march taken out by the citizens led by Gandhians and intellectuals (at least 1500 of them), on March 5, ridiculing it in a sarcastic manner.

Fortunately, the same day at Rajkot a huge peace march was organized by an old and well-known daily, *Fulchhab*, which constantly harped on communal amity, through choosing news items which showed that spirit of amity exemplified by various Hindus and

Muslims protecting or shielding each other. It also highlighted a whole page of readers' letters supporting such amity. In the same way, the well circulated *Saurashtra Samachar* of Bhavnagar, in the midst of the reports of the acts of arson and looting in various cities, published a special supplement on March 2, devoted to the motto Sarva Dharma Samaan (All Religions are equal). *Kutch Mitra*, a popular daily in Bhuj, flashed an appeal from a Muslim cleric to maintain communal amity; he condemned the perpetrators of the Godhra carnage. This prevented any large-scale event there. The English newspapers *Asian Age*, *The Times of India* and *Indian Express*, by and large, stuck to a matter-of-fact display of reports of violence, of course with some digressions. All three papers, however, were roundly criticised by several VHP and Bajrang Dal activists, when asked about them, for an open display of pro-minority bias. The editor denied such a charge.

An eight-column headline in the SD of February 28 screamed: 'Godhra killings remain challenge to the rise of Hindutva'. Burnt-out railway coaches were depicted in colour following that headline. Next day, on March 1, SD flashed pictures of dead bodies prepared for their funeral (with previous Bandh day's victims' figure of 98 in a huge starred inset) and smoke billowing out of a burnt house. It appeared as if the SD enjoyed such slaughter and mayhem. The same day, one of its columnists, Hari Desai, wrote in a provocative manner about Arab money and the activities of madrassas. He also wrote: 'Just think why are we secular-blind, worse than even Muslim nations!' On March 2, again, a picture of the charred bodies of a woman with her three children flashed on the front page in an enlarged six-column seven inches size. On March 6, SD's front page eight-column headline with a horizontal red strip declared: 'Danger to Hindus! Deadly conspiracy of counter-attack following the return of Haj pilgrims.' In fact, the return of the Haj pilgrims was going to be a major event of deadly confrontation – this was the refrain of widespread rumours causing the shutters of markets to go down several times for a few days. However nothing happened

Both GS and SD have, besides Ahmedabad, editions from Rajkot, Bhavnagar, Vadodara and Surat. The editions too did not hesitate to use inflammatory language. The Bhavnagar edition of SD flashed a 'provocative' headline on February 28, and March 1 screaming: 'Bhavnagaris should wear bangles' and the same night peaceful Bhavnagar burnt.

On March 15, SD saw 'Religious War in Ayodhya' with huge graphics and pictures above the masthead. 'Stir over Mahant's suicide threat for Rama'. GS boxed a statement of VHP President Prof. K.K. Shastri on March 17, titling it 'Minorities must stay within their limits.' On March 17, SD published a front-page picture of deadly weapons (as shown by a policeman) captured from the Dariakhan area (a predominantly Muslim area). It is not surprising that provocation was caused among Hindus. Next day again SD highlighted an RSS resolution in a box in colour on the front page 'warning the minority community.' GS, in the same way, front-paged big colour pictures of death and destruction going on unabated in its issue of March 16: 'Violence erupts again. One dead, 12 injured, frenzied mob spread terror: 40 slums burnt at Chandola Talao.'

On March 19, SD flashed a report: 'Naroda police inspector's transfer cancelled under heavy "people's pressure" – mob organizes Ram-Dhun inside the police stations itself in his favour!' Names of certain victims and criminals were openly published by SD on March 19, giving cause for further provocation, such as the name of a businessman at Dahod (Ahmed Mohammed) falling victim to a private firing on his shop. Or the name of a student, Irfan at Bharuch, stabbed to death while he was returning from a board examination hall.

Surprisingly, not comfortable with certain exposures on TV, the chief minister had even accused the media of misleading reports. He was obviously pointing his finger at the English language papers and TV channels. Media personalities, of course, did not let the accusation lie, but nailed down the chief minister's charge. The government and its police showed their ire against the media in no uncertain terms when police ruthlessly beat up four or five TV and print media reporters and cameraman on April 7 when they were covering a peace meeting of NGOs into which anti-Narmada figure Medha Patkar came uninvited to participate.

Mainstream, 9 April 2002

LOOKING FACTS IN THE FACE

The fact-finding team suggests that the Gujarat violence was unique

ACHIN VANAIK

A four-member fact-finding mission which included, besides myself, Kamal Chenoy professor of Jawaharlal Nehru University, S.P. Shukla (former finance secretary) and K.S. Subramanian (former director-general of police, Tripura) went to Gujarat with specific terms of reference concerning our study. We were to seek the truth of the Godhra incident, the possible use made of it in respect of the carnage that followed, and the issue of whether or not there was state complicity in the post-Godhra violence.

The findings of our study were made public on April 10 and some of the key conclusions are as follows:

The diabolical and tragic burning of bogie S-6 in Godhra on February 27 morning fits into the classical and historical pattern of communal rioting in the area and in Gujarat generally, wherein a provocation on one side (in this case assaults on Muslim tea vendors and molestation of a female present at the platform) provided the trigger for a terrible and utterly unjustified over-reaction by members of the other religious community. There is really no basis for the claims that this was a deep-seated conspiracy, either foreign or domestic inspired.

Conscious use was then made of this incident to inflame communal passions leading to the sustained attacks from February 28 onwards on Muslims, carefully targeted throughout the cities and rural areas of Gujarat. The connecting link was provided by the Vishwa Hindu Parishad call for a bandh which in the circumstances, was clearly aimed at promoting communal hatred. Worst of all, this bandh, instead of being opposed and prevented, was actually supported and endorsed by the Gujarat government. With regard to subsequent violence, the study clearly concludes that this was a state-wide and state-sponsored pogrom against the Muslim minority which reached unparalleled levels of brutality.

The full details and recommendations for punishment of all those guilty are contained in the released 'Report to the Nation'. It is not my intention to discuss that report but rather to voice a

personal opinion regarding the unique nature of the Gujarat pogrom and how it marks a turning point in the post-independence history of India. This is the first time that we have witnessed a systematic and planned state-organised pogrom on a massive scale, which is then rationalized, justified and minimized by the Central government.

Perhaps the best way of grasping this uniqueness is to see how different Gujarat at 2002 is from the anti-Sikh riots of 1984, since these are the two worst examples of large-scale communal killings in post-independence India. Six common criteria will be applied to both situations to arrive at a judgement in this respect. One, the communal character, context and history surrounding the two cases respectively; two, the scale, geographic extent, and duration of communal violence; three, the 'quality' of the violence engaged in – the levels of brutality and sadism involved; four, the extent and degree of complicity on the part of the apparatuses of the state, including the issue of their involvement as direct agencies of violence; five, elements of spontaneity and/or pre- planning; and six, the wider political implications.

In regard to the first criterion there is a clear and profound difference between the two cases. The 1984 events must be situated in the twin conjunctural contexts of Congress-Akali Dal political rivalries in Punjab, and of the emergence of a Sikh separatist (Khalistan) movement in the period 1978-86 opposed by the Congress-ruled central government. While the Khalistan movement never enjoyed more than a weak and limited minority support among Sikhs, there was widespread Sikh resentment at various policies pursued by the Congress-ruled Centre which were considered discriminatory.

Alienation of Sikhs multiplied after Operation Blue Star that preceded Indira Gandhi's assassination, and was further exacerbated by the anti-Sikh violence that followed it. Hindu-Muslim communal tensions, however, have a much longer history, much greater frequence of eruptions into violence, far stronger institutional and ideological support systems including the existence of 'dedicated' communal political forces of considerable strength, especially on the Hindu communal side. The institutionalized structures representative of anti-Muslim communalism are largely absent when it comes to the issue of communal attitudes and practices towards Sikhs.

Thus in respect of the second criterion the 1984 violence was of much shorter duration than the violence in Gujarat 2002. Although the number of deaths in the two cases may be comparable, the geographic extent of violence, looting, arson and so on is not, being much less widespread in 1984 when violence was essentially restricted to areas of heavy Sikh concentration, and brought to a halt much more rapidly than in the case of Gujarat 2002. In respect of the third criterion, both cases exhibit shocking atrocities – rapes, burnings, and so on – against even women and children in a context of mob violence. But even here, the sheer frequency and scale of such atrocities, and the depths of sadism to which violence in Gujarat has descended, is far greater. The extent and degree of state complicity (criterion four) and pre-planning in the case of Gujarat 2002 is also far greater.

In Gujarat, communal violence from February 28 onwards involved far deeper and wider levels of complicity than anything that has been seen in India since 1947. These range from the complicity of government structures, civilian and police, as well as of party/front leaderships. In both, the complicity starts at the very top and continues all the way down. Further more, the systematic communal suborning of the administrative apparatuses of the Gujarat state government to the structures of the sangh (Bharatiya Janata Party/VHP/Rashtriya Swayamsevak Sangh/Bajrang Dal) over the preceding years (the BJP came to power in the 1998 state assembly elections) is far greater than in the case of the Congress with respect to the Delhi administration in 1984.

It follows that with regard to the fifth criterion the dimension of pre-planning in Delhi in 1984 was much weaker than it was in Gujarat in 2002. Administrative collaboration to enable selective targeting and attacks on a particular religious community existed in both cases. But the fact that such collaboration was much more regularized and deeper in the case of Gujarat is what enabled that violence to be more widespread, brutal, comprehensive and sustained. In 1984, the short space of time (barely a couple of hours) before the 'trigger event' – the assassination – and the outbreak of anti-Sikh violence on the same day contrasts sharply with Gujarat 2002 where the elapsed time between the 'trigger event' – the Godhra incident – and the subsequent inauguration of sustained and large-scale anti-Muslim onslaught, is more than 24 hours.

This was more than enough time to take all police and law-and-order measures (including preventive arrests and detentions) to ensure that the outbreak of violence would either not take place or be immediately contained/ended, if it did. That no such measures have been taken emphasizes a level of complicity far in excess of the more 'spontaneous collusion' characterizing the 1984 situation.

As for the sixth criterion, again, there is simply no comparison. Nineteen eighty-four clearly has much more of a "one-off" character. The insecurity felt by Sikhs does not bear any serious comparison to that felt by the Muslim minority in India today. Whatever the tensions prevailing during the period 1978-86, Hindu-Sikh relations have been substantially repaired since then. The likelihood of any similar deterioration is much more remote. A Congress apology for 1984 has taken place, and there is no equivalent today to the kind of institutionalized communal onslaught that the Muslim minority faces. Neither has anti-Sikh communalism been sought to be publicly legitimized in the way that anti-Muslim communalism has been done. Nor has it ever come close to achieving the same degree of success. The view that anti-Muslim sentiments are but a reaction to a Muslim villainy that has 'hurt Hindu sentiments' is one that has been assiduously propagated and widely accepted.

Given all these substantial differences between Delhi 1984 and Gujarat 2002, it is disturbing that they do share one unfortunate similarity. In neither case have the principal culprits responsible for the horrendous massacres and terrible destruction of properties been properly punished by due process of law.

The Telegraph, 11 April 2002

HAS COMMUNALISM CHANGED? – I

IMTIAZ AHMED

Should we characterise what happened, and is still happening, in Gujarat as communalism? What happened in Gujarat is not a recurrence of the old and familiar phenomenon of violence between Hindus and Muslims for which the word communalism was originally invented. It is an entirely different phenomenon. What is the

basis for arguing that the Gujarat carnage is different from communalism, as we have historically understood it? It is the differential role of the state. Communalism, as historically understood, arose in the context of a colonial state required to act neutrally between conflicting communities. The state acted to restore peace without being swayed by the consideration of which community was perpetrating violence and which was targeted. In this sense, communalism was a phenomenon that essentially belonged to civil society and the state sought to control it. The Gujarat phenomenon is different because the state abandoned the time-honoured principle of even-handedness and sided with one community.

One must, to understand the full import of this difference, go back to the familiar distinction between majority and minority communalism. Historically, this distinction was couched in the argument that minority communalism arose because the majority was communal. If the majority ceased to be communal, minority communalism would have no reason to exist and would peter out. This line of reasoning failed to see that this was an insufficient reason for the distinction to be made at all. Communalism relies for its operation on the creation of a mindset and control of civil society.

In this respect, no sustainable distinction can be maintained between the communalism of the majority and the minority. Where the distinction really lies is in that majority communalism can mask itself as a 'nationalist force' and can leverage state power. Minority communalism lacks this capacity. It grows under perceived threats to community identity. This is one reason why liberal forces find it hard to push the agenda of democratisation within minority communities.

Under the colonial state and for a considerable time thereafter, the inherent propensity of majority communalism to become ascendant and take control of state power was held in check by the neutrality of the state. The state recognised that communalism, whether of the majority or the minority, was essentially a phenomenon of civil society which it was obliged, in terms of the principles of rule of law and equal dispensation of justice, to tolerate only so far as it did not become threatening to the state and civil society.

The state was not always able to adhere to these time-honoured principles or to act neutrally. Many analysts tend to equate these deviations and distortions with what is happening currently to suggest that much difference does not exist in the character of the state under the Congress during the first 50 years and now. What

makes for a difference in the two contexts is that in the first, if the state fell victim to the communal tendencies inherent in civil society, it was able to banish the communal forces, whether of the majority or the minority community, to the margins of state power. Now, the state has been so taken over by majoritarian forces (appropriately speaking, those speaking in the name of the majority, which is and remains otherwise extremely differentiated) that it is willing to allow itself to be guided by them and to protect them if they choose to execute pogroms against those they regard as the other. This significant difference is often glossed over when the distortions and deviations, such as those during the Meerut riots or the anti-Sikh pogrom in 1984 under Congress rule, are equated with the current situation.

What happened in Gujarat is a brutal manifestation of the take-over of state power by communal forces. The state allowed organised groups to go around perpetrating violence in full view of the law and order machinery. It offered justifications for that violence as if the function of the state was not to control violence but rather to adjudicate over the question of what sorts of violence it would permit and what forms it would bring under control. The principle of state neutrality in the control of communal violence was openly thrown to the winds.

One can also invoke a series of more immediate political reasons to explain the violence in Gujarat. The first is the drubbing majority communalism received in the recent Assembly elections. This prompted majoritarian forces to revert to their time-tested strategy of communal polarisation to prevent further erosion. Second, since majoritarian forces anticipated realignment of forces at the Centre following the debacle in Uttar Pradesh, their logic was that if their Government had to go, it must do so on a plank which brought them to power in the first instance. They also felt that they lost the Assembly elections because of the Centre's soft attitude on the Ram Mandir issue. Construction of the Ram Mandir at Ayodhya signifies for them control of state power and a weapon for polarising society along communal lines. The logic is: polarise society, reap electoral benefits and consolidate hold over state power to shape the nation and society according to a majoritarian vision.

Obviously this is unlikely to go unchallenged by the minority communities. Sooner or later, they too are going to throw up lunatic fringes, which would seek to challenge the hegemonic domination of the state by majoritarian communal forces. As this happens

on a increased scale, the country will be witness to the spiralling of both communal hatred and violence. All the more because the state would in the process remain a passive onlooker to communal street battles. Once this starts happening on an increased scale, the state would gradually lose even a limited pretence to neutrality. It would start discriminating between the violence perpetrated by majority communal forces and that executed by minority communal forces who will increasingly see in the discriminatory attitude of the state a fair rationale for engaging in violence as the only means available to redness their complete oppression. It would condone majority communalism as a legitimate expression of a powerful national sentiment and penialise minority communalism as a kind of terrorism directed against the state. This will bring forth increased reprisals against minorities leading to large-scale genocidal violence in which the state would openly seek to legitimise majoritarian violence.

For example, the projection of the Ayodhya dispute as a Hindu-Muslim conflict not only concealed its otherwise political content but also aimed at helping majority communalism consolidate and expand its social base. This made it possible for the majoritarian forces to shift the onus of blame for the continuing impasse onto the Muslims. In a nutshell, the state's actions were a part of the majoritarian communal forces' strategy to achieve their vision of the nation and society.

The Hindu, 12 April 2002

THE MASK IS OFF

A Tale of Two Hindus

SIDDHARTH VARADARAJAN

Two weeks ago, the resident editor of *The Times of India* in Ahmedabad sent our office in Delhi a photograph so shocking it made my stomach churn. Shocking not just for what it depicted but because, to paraphrase Barthes, 'one was looking at it from inside our freedom'. This was my India. This is my India.

On a hot and dusty patch of asphalt lies the naked body of a woman, Geetaben, her clothes stripped off and thrown carelessly near her. One piece of her underclothing lies a foot away from her

body, the other is clutched desperately in her left hand. Her left arm is bloodied, as is her torso, which appears to have deep gashes. Her left thigh is covered in blood and she is wearing a small anklet. Her plastic chappals sit sadly alongside her lifeless body and in the middle of the photo frame is a gnarled, red, hate-filled remnant of a brick, perhaps the one her assailants used to deliver their final blow.

Geetaben was killed in Ahmedabad on March 25, in broad daylight, near a bus stop close to her home. She was a Hindu who in the eyes of the Hindu separatists currently ruling Gujarat had committed the cardinal sin of falling in love with a Muslim man. When the sangh parivar mobs came for him, she stood her ground long enough for him to flee. But the killers seemed more interested in her. She was dragged out, stripped naked and killed. No lethal dose of Zyklon-B delivered surreptitiously in a darkened, secluded chamber. Geetaben's murder was never meant to be a furtive, secret affair. The holocaust that chief minister Narendra Modi's administration presided over was engineered in the knowledge that the Indian state never punishes murderers with political connections. Delhi 1984, Bombay 1993, Gujarat 2002. Neither Congress, Third Front or BJP believes in Nurembergs.

In these troubled times when heroes are scarce and villains abound, Geetaben deserves to be worshipped. She is Gujarat's Jhansi-ki-Rani, its La Passionaria. I salute you, Geetaben, from the bottom of my heart for your one brief moment of defiance. For even in death, with your helpless, innocent body bloodied and your clothes ripped apart, you showed more courage, humanity and dignity and more fidelity to the Hindu religion - than prime minister Atal Behari Vajpayee has done in the past month. When the day of reckoning comes, no one will dare ask you where you were when Gujarat was burning. But when Yama waves a dossier at Mr Vajpayee and asks him how many lives he saved, what will he answer, I wonder. Will he hang his head in shame as he did at Shah-e-Alam camp in Ahmedabad? Or will he lecture the Hindu God of Death about Godhra and jehadi Muslims, and claim, as he did on Wednesday, that if only Parliament had condemned the Sabarmati Express carnage, the genocide which followed would never have happened.

When I heard what Mr Vajpayee said at the BJP rally in Goa last week, I experienced the same contaminating, stomach-churning sensation of being present at a crime scene that I felt when I saw the photograph of Geetaben. Though the PM now insists he was misquoted, whichever way his words are parsed that he told his

party faithful at Goa was bone-chilling. 'Wherever Muslims are', he said, painting a broad brush to describe not just the followers of Islam around the world but the one-fifth of India's citizens who happen to be Muslim, 'they do not want to live with others peacefully'.

At the best of times, such a statement would be unforgivable. But when you consider that he was talking about the killing of as many as 2,000 Muslims in Gujarat – and to an audience which believed this genocide was justified – one can only react in horror. Already, the sangh is enforcing an economic boycott of Muslims. There is not a single Muslim business left in Gujarat. Photocopying stalls near Gujarati courts turn Muslim lawyers away. Men with beards are not served in restaurants and shops in the state. Muslim mothers pray their children won't call them ammi on the street. Instead of speaking out against this, Mr Vajpayee actually had the gall to say, Muslims do not wish to live in peace.

For tens of millions of Indians, including those who might have flirted with the BJP, Mr Vajpayee's remarks have served as a wake-up call. At the Shah-e-Alam camp he said the riots had shamed India. But what he said at Goa has shamed India even more.

For all his fulminations against jehad, Mr Vajpayee's ideology is equally jehadi. His party does not believe in people living in peace, in ensuring that the citizens of India – whether Hindu, Muslim or other – have the wherewithal to live as human beings. The BJP does not respect the rights of citizens or of the nation as a whole. Instead, a bogus, hollow ideology of 'Hindutva' has been erected to cover up their utter contempt for the rights of the people of India.

If historians use the phrase 'Muslim separatism' to define the struggle to carve out a Muslim nation from India in the last century, the project of the RSS-BJP could well be called 'Hindu' separatism. Separatism or secessionism is not just about the desire to create physical distance; it is as much about striving to distance oneself from the political, cultural and philosophical mores of the country. The BJP's separatist project poses as 'Hindu' but it aims to secede from the philosophical and cultural foundations of India, including Hinduism, and from the political principles that Indians have evolved over the past 200 years of struggle for their rights.

The aim of this project is to establish a state where all Indians, including Hindus, will be devoid of rights except those which will be bestowed upon them as a privilege. Today, Mr Vajpayee tells Muslim, Christian and Sikh Indians at Goa that 'we (i.e. the BJP) have allowed you freedom of worship'. Tomorrow, Hindu Indians

will be told what they are 'allowed' to do. Those that transgress – like Geetaben, or Medha Patkar, journalists and others – will be dealt with. Gujarat has thrown a challenge to the country. The writing is on the wall. Either we stand up to defend the rights of all citizens; or we will all go down eventually.

The Times of India, 19 April 2002

THE GUJARAT IMBROGLIO

RAJEEV DHAVAN

The events since the Sabarmati Express was attacked on February 27 surpass some of the worst nightmares India has faced since independence. We are now in the grip of an unprecedented crisis. Godhra was unforgivable. What followed is a continuing act of a shame. Now, politics feeds on communal horror. The preliminary findings shock the constitutional conscience in unequal measure – with politicians of various persuasions exposing themselves. The Chief Minister, Narendra Modi, has not quelled or controlled the situation. The Prime Minister, Atal Behari Vajpayee, has visited Gujarat; and, is apprised of the horror. But, he does not have the political courage to sack Mr Modi. Why? Perhaps, the BJP feels that prospects of victory in the next election in Gujarat will be enhanced by supporting the communalism associated with Mr Modi's actions and inactions. The BJP does not want to risk losing the only major State in its political possession. Some of its allies fear the collapse of the Union Government if Gujarat backfires on the BJP-led coalition at the Centre. The Samata Party's spokesperson resigned in protest over his outfit's stance. The rest of the NDA's allies are dithering – unsure whether to hold on to office or honour the Constitution. There is a standoff.

Mr Vajpayee refuses to sack Mr Modi. The situation in Gujarat remains abnormal. The minorities – especially, the Muslims – have received their worst shock since Partition, akin to the senseless brutalities inflicted on the Sikhs in 1984. In Gujarat, further political mileage is expected to be made out of communal mayhem. The facts of Godhra were ghastly enough. What followed defies democratic and secular credulity. The National Human Rights

Commission (NHRC) issued a notice on March 1. Despite this, Mr Modi's Government established a Commission of Inquiry. Legally, there was nothing wrong in doing so. The inquiry should have come from the Central Government. There can be a State and Union inquiry after the Supreme Court's judgement in 1980. But, Mr Modi's Government's inquiry was a ploy.

After J. S. Verma of the NHRC visited Gujarat (March 19-22), he found no justification for the Government not containing the continuing unprecedented violence and the Modi regime's omissions and commissions. Unfazed by this preliminary indictment, an NGO filed a case in the Gujarat High Court to stop the NHRC from further investigation! The Supreme Court stayed the proceedings in the Gujarat High Court. This meant the NHRC could continue its investigations. It has made recommendations which are being ignored. Not only was the communal situation being fanned for political reasons, but investigation into the true facts was being thwarted and stalled. It was the NHRC's finest hour. Meanwhile, the facts spoke for themselves. Mosques were destroyed. Muslims were brutally assaulted and murdered. Pamphlets were circulated on how the Muslims were to be attacked and maltreated. The State has not proceeded against their circulation. The state machinery broke down, and, by some accounts, connived in the communal horror. Mr. Vajpayee wept, but refused to act.

No one is accountable in Gujarat – politically or constitutionally. The constitutional machinery has broken down, calling for President's Rule under Article 356. But, what happens when the Union Government itself fails to act? Under Article 355 it is the duty of the Union 'to protect every State against external aggression and internal disturbance'. This was the Article sought to be invoked against Laloo Prasad Yadav's Bihar and Jyoti Basu's West Bengal and also Tamil Nadu when the Union wanted to send a team to investigate a constitutional breakdown. But, when a real breakdown took place in Gujarat, the Union was silent and supine. What happens when the Union does not live up to its constitutional obligations? Mr Modi does not and cannot command the confidence of the minorities. The least that could have been done was the removal of Mr Modi as a confidence enhancing measure. Today, the Government in Gujarat led by Mr Modi cannot provide secular democracy for the State. We also have a politically crafty Union Government that will not act. That is why the impasse in Parliament is justified leading to a constitutional impasse.

Under normal circumstances, it is difficult to support the imposition of President's Rule. In most of the 100-odd impositions, there has been little or no justification. President's Rule was imposed on Kerala in 1959 on grounds of a breakdown of law and order when it was not justified. An anti-price rise agitation led to President's Rule in Gujarat in 1974. President's Rule followed the Akali agitation in 1983; and the Constitution was amended so that President's Rule could be imposed in Punjab from 1987 to 1990. In Tamil Nadu in 1976 and Manipur in 1979, President's Rule was imposed because the Governments were corrupt. After the destruction of the Babri Masjid in 1992, President's Rule was imposed in Uttar Pradesh, Madhya Pradesh and Himachal Pradesh – wrongly so in the latter case. The Bommai case (1993) examined these impositions, and significantly laid down that a breakdown of secularism was a valid ground to impose President's Rule.

Apply all this to Gujarat; there is a breakdown of law and order on a frightening scale. There is political corruption – in the Government's activity and inactivity. Secularism has been tarnished. Communalism rules through terror. Gujarat is one of those cases where President's Rule should be imposed. Instead, President's Rule has been imposed on India's largest state of Uttar Pradesh even though there is a largest single party that can form a government. But, just as President's Rule in Uttar Pradesh is convenient for the BJP, not imposing it in Gujarat is expected to bring in present and future electoral dividends.

Who will impose President's Rule? The Prime Minister. But, he is not even prepared to sack Mr. Modi. He relies on his allies in Parliament to save him from an adverse vote. We have to turn to the President himself. Under Article 78, he has the right to call for reports and examine issues to advise, encourage and warn his own advisor, the Prime Minister. K.R. Narayanan warned against President's Rule in Bihar a few years ago. It is now his duty to advise imposition of President's Rule in Gujarat. Neither the Sarkaria Commission (1988) nor the Constitution Commission (2002) recommends an abolition of President's Rule. Personally, I do not like these provisions. But, in this situation, President's Rule may be justified. It is better than partial national emergency under Article 352. The only snag is that the State will still be run by the BJP through the Union Government. This is where the allies come in to ensure that President's Rule is closely monitored by them and through Parliament.

The BJP got a jolt when it was wiped out of power in several States in February 2002. The Ayodhya gambit had not paid off. What we are seeing in Gujarat and some other States is a new kind of BJP electoral politics through instrumenting a communal jehad in the name of Hindu chauvinism. This is a new electoral ploy – as despicable as the revulsion and horror it generates. One's worst fears about the BJP and its Sangh Parivar or social and political family seem justified. The sheer savagery of events causes dismay. Communal violence has replaced Ayodhya as the new electoral mantra.

The Hindu, 19 April 2002

SAFFRON LIES

SITARAM YECHURI

Prime Minister Atal Behari Vajpayee appears to have adopted the Goebbelsian technique with fascist precision. Hitler's propaganda minister Goebbels put to lethal use during Nazi pogroms his famous dictum: tell a big enough lie frequently enough to make it the truth.

Speaking at the 75th birthday function of former Prime Minister Chandrashekhar, Mr Vajpayee repeated what he said in his by now infamous speech at Goa. Endorsing Narendra Modi's action-reaction theory, Mr Vajpayee said that the Gujarat violence would not have happened if the country had condemned the Godhra carnage forcefully. The implication that the country and its political parties did not effectively condemn the Godhra carnage is a patent untruth. All national parties had condemned the incident strongly. The CPI (M) while doing so on February 27 had said that 'it is absolutely essential that peace be maintained and steps taken to see that violence does not spread anywhere else.' Little did we know at that time that the Narendra Modi led administration was already planning a large-scale communal genocide in Gujarat.

If Mr Vajpayee was sincere, he needs to explain as to why, as the leader of Parliament, he did not move a strong condemnation on the floor of the House next morning. In fact, it is the government which urged the Opposition parties on the morning of February 28,

by which time the ghastly news from Godhra had arrived, not to raise any other issue and to allow the Budget to be presented as usual. It was the Vajpayee government which gave precedence to maintaining the sanctity of the Budget tradition above a universal condemnation of the Godhra carnage. It is simply perfidious to now try and seek to tar the Opposition on this score.

By blatantly backing Narendra Modi and his pogroms that continue in Gujarat till date, the BJP and the saffron brigade seem to be calculating that the electoral benefits they seek through the blood of innocents need not be confined only to the state of Gujarat. Clearly, the Prime Minister is seeking to sharpen the communal polarisation all over the country for the sake of petty electoral gains. Keeping Parliament from transacting any business is part of this game plan.

The PM has thundered that he has a majority even without the support of some parties like the Telugu Desam. Then why not allow a discussion under Rule 184 which entails a vote? His obdurate refusal and consequent paralysis of Parliament is to keep the communal cauldron boiling. The grave consequences are inescapable: the destruction of the secular democratic foundations of the modern Indian republic.

This, however, is the precise objective of the saffron brigade: to convert this modern Republic into what they call a 'Hindu Rashtra'. This objective was articulated by none less than the former long serving RSS supremo M.S. Golwalkar. 'There are only two courses open to the foreign elements, either to merge themselves in the national race and adopt its culture, or to live at its mercy so long as the national race may allow them to do so and to quit the country at the sweet will of the national race... From this standpoint sanctioned by the experience of shrewd old nations, the foreign races in Hindustan must either adopt the Hindu culture and language, must learn to respect and hold in reverence Hindu religion, must entertain no idea but those of the glorification of the Hindu race and culture, i.e., of the Hindu nation and must lose their separate existence to merge in the Hindu race, or may stay in the country, wholly subordinated to the Hindu nation, claiming nothing, deserving no privileges, far less any preferential treatment - not even citizen's rights. There is, at least should be, no other course for them to adopt. We are an old nation; let us deal, as old nations ought to and do deal, with the foreign races, who have chosen to live in our country.'

And how should 'old nations' deal? 'To keep up the purity of the race and its culture. Germany shocked the world by her purging the country of the Semitic Races - the Jews. Race pride at its highest has been manifested here. Germany has also shown how impossible it is for races and cultures, having differences going to the root, to be assimilated into one united whole, a good lesson for us in Hindustan to learn and profit by'.

It is the same Golwalkar who, while seeking the removal of the ban on the RSS following Mahatma Gandhi's assassination, had assured the then home minister Sardar Patel that the RSS will confine itself to being a 'cultural organisation'. In search of a political outfit, Golwalkar had sent some pracharaks to assist Shyama Prasad Mukherjee, who fell out with Nehru and resigned from the Union Cabinet, to found a political party in 1951.

Amongst those sent were the present Prime Minister and Home Minister, to found the Jan Sangh, the earlier incarnation of the present BJP. One would be living in a fool's paradise if one were to consider the BJP as anything other than the political arm of the RSS.

The Prime Minister's speeches, both at Goa and later in Delhi, only carry forward this agenda. And this is the danger that is lurking at our doorstep. Can a country with such immense diversity, in all aspects, not only religious, remain united with such an agenda?

The unity of India can be maintained only by strengthening the bonds of commonalty than run through this diversity. Any attempt to impose a uniformity upon this diversity, like the communal forces seek to do, will only destroy the unity and integrity of our country. It is this RSS agenda that has to be defeated if we wish to retain India as we know of it today.

Through this gory violence, the Prime Minister's utmost concern has been his image abroad. On this score he would do well to read the leader of the *Financial Times*, London on April 16, 2002 titled *Gandhi's Horror*. It says: 'His (Vajpayee's) remarks threaten to shred the vision of a tolerant and multi-cultural society articulated by Mahatma Gandhi and Jawaharlal Nehru. They have alarmed all those in India who believe the country should celebrate - rather than be divided by its diversity.'

Those foreign governments that are interested in India's stability should roundly reject Mr Vajpayee's rhetoric. His incitement to religious hatred has no place in a civilised world. It is indeed an irony

that those who perfected the policy of divide and rule to keep India as its colony today have grown to make such remarks. And in India we have a government headed by Mr Vajpayee which instead of advancing its civilisation keeps harping back to medieval times and their standards.

The Asian Age, 21 April 2002

RUNAWAY FISSION

In Gujarat, it could be a different story yet

NANAJI DESHMUKH

Gujarat has been caught in a heartrending genocide, orchestrated as a reaction to the ghastly carnage staged at Godhra. Do we want o divide our country once again on a Hindu-Muslim basis? Haven't we realised that unspeakable horrors were inflicted on innocent citizens of both India and Pakistan during Partition?

It is unfortunate that a majority of our leaders are furthering their political careers by indulging in divisive politics. Religious rituals, social lifestyles, regional activities and linguistic aspirations do not disturb or cause any tension to the social fabric. Discriminating one human being from another on the basis of caste, vocation, faith, religion, language or gender is an inhuman practice. 'The Indian tradition has been a belief in 'openness' and a monotheistic form of humanity. The concept of *Vasudaiva Kutumbakam* (One World Family) is a result of our Indian ethos.

Unfortunately, it is extremely difficult to convince the politicians of today of such noble values as they have acquired their political clout by twisting our open-minded Indian ideology, and turning it into divisive politics. They have caused further confrontations in society by instigating people on futile issues to further their political growth. These leaders have no interest in the well-being and progress of the people.

The leadership of the country today cannot be called national leadership. A particular person is deemed a leader on the basis of a particular caste, religion or region. The whole trouble is that nobody thinks of the nation as a whole. Everybody thinks in terms of

whether he is a Hindu, Muslim, Yadav, Dalit, Jat, and so on. On this basis, governments are being formed. Ministers are selected not on merit and their ability to contribute to development but because they represent a particular group.

Our leaders – whether in politics, social life, religion, or culture - have not taught their own sons and daughters to have a sense of responsibility towards society and the nation. Their goal for their children is to go abroad and earn high salaries. They don't have any concern for the hunger and malnutrition all around. Even after 50 years the economic disparity among our people is more than before. When our leaders do not think of the nation, how will ordinary people do so?

Politicians have pushed our nation to the brink of instability – the signs of which are now evident everywhere. Today the whole mass of politics is practically bad. Which is why I do not feel close to any particular party or politician. My friend is he who stands for the nation. I left politics on April 28, 1978 to work with the masses. I may have once been a member of the Jana Sangh and the Janata Party, but I do not give them advice any more because I know no one is going to listen to me. In politics everyone wants simply to remain in power.

At this moment Parliament is not allowed to function. The MPs don't allow any work to be done and they get salaries and they are not abashed. Some time back I wrote to all the MPs questioning the need for a salary increase and the only reply I got was from Kuldip Nayar. He and I seem to be the only ones who have refused to accept the increased salary for parliamentarians. When I get up in the Rajya Sabha to speak and expound on my economic theories, Manmohan Singh, who is the leader of the opposition, stands up and supports me. He tells the treasury benches, 'Please implement what Nanaji says.' But no member of the ruling party comes up to say we accept it.

The fundamental flaw since Independence has been that the government and administration think they can impose development on their own. The crux of development is for the administration to inspire people to stand on their own. Successive governments have given little thought to the key problems facing India. People keep running away from the villages which are rich in natural resources.

Why doesn't the government have a policy about the 76 per cent of or farmers who have uneconomic land holdings? In Chitrakoot, we are creating a model of 500 villages in which we attempt all

sorts of development work. In Chitrakoot you will find that a farmer who holds only two and a half acres can now meet all his expenses and save Rs 5,000 to Rs 6,000 a year. I demonstrated this to the director of the Indian Council of Agricultural Research. Think how much capital could be generated for the nation if all small farmers were economically viable and contributed some of their savings. Instead we run after foreign companies which come here not to improve India but for their own profit. We are not looking at the advantage of utilising our own resources, on the basis of which we can improve our economy.

When I went to Gujarat recently I did not go on a fact-finding tour, I did not meet any political leaders nor did I want to hear them. I believe that to solve today's problems one does not have to turn to political leaders, who are part of the problem and cannot make things better. I feel the need is to approach the masses directly. Why do we feel the need to approach the masses only through political leaders? Even during Partition Gandhiji approached Jinnah who took advantage of the uneducated masses in the name of Islam.

Successive governments have made our education system directionless. It is extremely important to educate, train and encourage a new generation to understand and assimilate the values of humanity, and carry out their responsibilities towards our nation. It is also evident that the ideologies of secularism, socialism, communism, casteism, communalism and capitalism have failed to reconstruct the nation and offer solutions.

The need of the hour is to achieve the overall progressive development of our youth by following the philosophy of integral humanism preached by Pandit Deen Dayal Upadhyaya. Which is why I propose to set up a university in Gujarat to train a younger generation in the philosophy of integral human development.

The dreams of the illustrious martyrs of our freedom movement for a reconstructed nation remain unattained and have been thrown by the wayside. I am part of the older generation which without exception was unable to reconstruct our country. The cherished ideals of Gandhiji, with regard to social and economic reconstruction, have been ignored. Gujarat is the ideal location to realise the dreams and aspirations of our great leaders.

The New Indian Express, 22 April 2002

FISHING FOR VOTES IN THE RIVERS OF BLOOD

RAM PUNIYANI

In the wake of the Gujarat genocide, many a mask has fallen, one after the other. We are witnessing the 'naked glory' of those claiming to be secular, as ingrained in their 'glorious tradition', but new meanings are also being added to this word. The litmus test of this in a way was the response of the BJP, Vajpayee & Co., to the most elementary demand for dismissal of the architect-in-chief of the Gujarat carnage, Mr Narendra Modi. While defending his fellow swayamsewak our 'poet-prime minister' dropped not only his mask but all pretence to even attempt to hide his khaki-knickers and the trishul well placed in the pockets thereof.

Thundered the swayamsevak: 'Wherever there are Muslims in the world there is strife. Islam has come to mean forcing their opinion through terror and fear'. Putting the blame of the Gujarat genocide on the victims themselves, he went on to assert, 'The Gujarat tragedy would not have occurred had the Godhra train massacre not taken place. Who sparked the fire... How did it spread?' What was Mr. Narendra Modi's Newtonian formulation, again?

The RSS warrior role was completed by saying that what happened in Gujarat was deplorable BUT that those who 'lit the fire' were to be blamed. In a nutshell, the venom which the RSS-VHP-Bajrang Dal spread in society was neatly encapsulated and delivered by Mr Vajpayee in his much-admired 'masterly' fashion.

While protecting the butcher of Gujarat, the BJP also called for elections in Gujarat, a move which Mr Shanta Kumar dubbed as doing politics on the corpses of the riot victims, a few days ago. Surely, Mr Shanta Kumar will have to pay in due course for not being able to keep some of his left-over humanism under wraps, despite being a swayamsevak.

With this, the path is open for the BJP to chart the course for electoral success by encashing the polarization brought in by the ghastly events of a bleeding state. How come every time a riot occurs, the communal forces become strong? Why was BJP showing an electoral decline in the last many elections it faced?

But then there was the pre-poll survey sponsored by Mr Modi at the peak of the pogrom (denied, of course, but documented proof

exists) which did show the chances of BJP winning the elections in the wake of the violence. While many of us may simplistically believe that after seeing BJP hands bloodied in violence, most people would shun the party like the plague, the laboratory results (or survey predictions) are revealing gains for the party. Surely, the BJP leadership is going by the proven formula – riot-polarization and thereby electoral success for communal forces.

The analysis of different riots during the last 50 years has shown that while riots may invite disgust and repulsion amongst some people, a large section easily buys the story that it is the communal forces which have protected them from the aggression of the 'enemy'.

During the Mumbai riots we witnessed the police/Shiv Sena complicity ravaging the streets and unleashing violence; those in the spell of 'Manufactured Hatred' gleefully approving and following the saffron bandwagon, and of course the lumpen taking advantage of the situation to fill their coffers or to grab control of a piece of real estate.

I am told that many Mumbai residents wrote back to their families in the villages applauding the mercies of Lord Ram in providing the Shiv Sena as a saviour from the 'organised conspiracy of the Islamic Fundamentalists'. Some undiscriminating amongst us, might have been swayed, but the Srikrishna Commission's brilliant work confirmed the findings of the public tribunal headed by Justice Daud and Justice Suresh that it was the Shiv Sena which had organized the anti-Muslim pogrom.

The 'brilliance' of communal outfits lies precisely here. They were successful in propagating that the murder of mathadi workers or the burning of the Bane family by some miscreants was in fact the handiwork of the aggressive Muslims. It is worth recalling that the Hindu Hriday Samrat (King of Hindu Hearts) Balasaheb Thackeray gave a call for violence after these two acts by writing in his mouthpiece Saamna: '*Hindunni ataa akramak vhayala have*' (Hindus should become aggressive now). The rest is too well known to be recounted.

A similar pattern seems to be under play in the wake of the Godhra tragedy. The coach is torched on 27 February. By the same evening, word is spread that the ISI, along with compliant local Muslims, has attacked the Hindus. The secularists as usual do not condemn the act, so the Hindu souls are deeply pained. The next day, organised carnage stalks the streets of Gujarat, and the warriors of the Sangh Parivar, well equipped with swords, maps of

Muslim households, business houses and holy places, soon has rivers of blood flowing there. The survivors are forced into makeshift camps, unattended by the state and humiliated by their plight of living in Hindu Rajya, the state of Chote Sardar Mr Modi.

One knows that the aggressive communal forces need a pretext for their survival. Their eclipsing electoral fortunes were too obvious to the wily strategists of Sangh Parivar, who 'needed' a Godhra to happen for their own very existence. Bereft of such situations they see their own decline too visible.

What in fact was needed was proper investigation of the tragedy: who provoked it, why it happened; and the logical next step, to punish the guilty. Surely the state is well equipped to do this elementary business? But if that is done, the whole 'benefit' of Godhra is lost!

So, within a single day even when all those who matter amongst the Muslim community – yes, even the secularists and the human rights activists – are protesting their heart's anguish out in the streets, or condemning this barbaric Godhra, the lathis (the original RSS weapon), the trishuls (the symbol of the most aggressive RSS wings VHP and Bajrang Dal, currently in use) and more innovative gas cylinders (any resemblance with Hitler's gas chambers is purely incidental) come into action. The hurt of Hindus is coordinated through mobile phones and the foot soldiers brave it out, sharing the loot of business establishments owned by the 'enemies' of the Hindu Rashtra, the Muslims.

Many an inquiry commission report has shown that often, preceding the riots, a fear-pyschosis is raised to such a high pitch by the militant Hindutva outfits that the minorities, feeling cornered, with their backs against the wall and outnumbered, have been forced into 'throwing the first stone' or 'starting the fire' ('Who Casts the First Stone?', Teesta Setalvad, *Communalism Combat*, March 1998).

These inquiry commissions (Jaganmohan Reddy, Ahmedabad 1969; Madan, Bhiwandi 1970; Vithayathil, Tellicherry 1971; Venugopal, Kanyakumari 1982); the reports of Bhagalpur, Jamshedpur and lastly the Mumbai riots have demonstrated beyond any shadow of a doubt that the propaganda – 'Muslims have started the riot' is the triggering point for unleashing the 'much needed' riots to strengthen the base for communal politics.

When Mr Vajpayee says that Muslims started the fire, he is following the mould and mindset, which has built the BJP. Be it the

ghastly riots or the Ram Temple movement, the role of majoritarian communal force is absolutely clear, and made clearer after the cool headed study of the riot reports.

But by the time reports are dug up from the archives and cited, the 'job' is already done, and the foundation for a new electoral success already laid down.

Now, one hopes the election Commission will wake up and see the dangers of holding elections in a state which has suffered such an intense trauma, a state where the whole minority community today is petrified and a state where lakhs are staying in the refugee camps.

What one wonders about is the many faces of a man called Atal Behari Vajpayee (surely his heart-rending query in Gujarat about which face to show the world was genuine – after all he's got so many, he has to wonder). At one time he wrote (*Frontline*, August 1997): 'We don't fish for votes in the rivers of blood'.

This was probably before his many masks were ripped off by his politics for Hindu Rashtra. Now while eagerly preparing his boats and fishing nets to catch the electoral fish in Gujarat, he must be busy composing another poem and another suitable formulation, which can act as a brand new mask for the new occasion.

via e-mail, 23 April 2002

LOST MIDDLE GROUND

A Community loses hope in Gujarat

JULIO RIBEIRO

I was in Ahmedabad earlier this month. I visited the Shah Alam camp where nearly 10,000 Muslims had been accommodated after their homes were burnt and looted and their relatives raped and killed. I had expected histrionics and wailing but I was astounded at the matter of fact manner in which young boys and girls recounted the sordid details of what they had seen and experienced. It gave me an uneasy feeling that these young people were not going to forget the injustices heaped on them.

I do not know if the VHP and the Bajrang Dal, who had been gloating over their 'success' in Gujarat, visualised the danger to

which they are exposing their innocent co-religionists somewhere, sometime in the future. They must surely know that they cannot exterminate millions of their countrymen who worship God differently, and for whom they harbour such visceral hatred.

The first thing that I noticed while talking to the inmates of Shah Alam was that the victims had lost all hope of justice. In most riots, justice is routinely denied by crafty politicians and self-serving officers but hope still lingers. If hope is lost nothing more remains, only a resort to criminality or, worse still, terrorism. The victims of Ahmedabad did not know to whom they could complain as no empowered authority was willing to listen to them.

In Gujarat, the VHP has been systematically advocating the removal of Muslims from private employment. They have ensured that Muslim businesses, factories and other means of livelihood are destroyed. This is going to alienate the Muslim community from the mainstream of Indian society. The results are going to be exactly the opposite of what the Hindu zealots had intended. The Muslims are not going to run away because they have nowhere to go.

The second thing that struck me after my interaction with various people and groups of people in Ahmedabad was that the state had not merely sat back and allowed the massacre to happen as in Delhi in 1984, but had actively encouraged and participated in the mayhem. On the night of the barbaric killing of 59 kar sevaks in Godhra, instead of going after the culprits and taking precautions to prevent revenge killings of innocent Muslims, the government joined the call for the bandh. The chief minister, I learnt, called a meeting of officials that night and told them that they need not be too enthusiastic about preventive measures because he said that the bandh would pass off peacefully. Then, one of his ministers sat in the city police commissioner's control room, and another minister in the DGP's state control room, each with a band of supporters, to put subtle pressure on the police.

Much has been written about the failure of the police. There is no doubt that it failed. There is no doubt that its leadership failed. In a crisis of this magnitude it was not able to influence the rank and file and actually succumbed to the pressure of the ruling party. This is a colossal shame on the IPS in particular and will ever remain a stigma on its name. My inquiries showed that the BJP government of Narendra Modi, with a VHP activist named Gordhanbhai Zadaphiya as minister of state for home, had system-

atically emasculated the leadership by placing pliable officers and men of its choice in every possible position at the cutting edge.

Gujarat is easily the worst (or best) case study of a police force becoming politicised by the misuse of the power of appointments and transfers. The phenomenon has been commonly noticed in every state since the eighties. Unless corrective measures are quickly taken, people are going to experience a worse breakdown of the law and order machinery leading to a threat to the security of life and property

An immediate solution is available. The National Police Commission had recommended the setting up of state security commissions which would be vested with powers of appointments of officers at the senior levels and then giving them fixed tenures so that they would not have to look over their shoulders for approval from their political masters whenever they acted according to the law. Today the position is that the DGPs, Commissioners and Superintendents of police are appointed at the whims of politicians, some on tacit promises for services to be rendered. This would stop if there is a more transparent form of selection where officers known to be corrupt or inefficient or both are not promoted.

The senior officers selected by the security commissions would also have operational independence in carrying out their mandate. They would have the sole prerogative of promoting, rewarding, punishing and transferring their own subordinates who would then know who their bosses are.

Last, my most important finding. There was a widely prevalent perception in the minds of the Hindu upper and middle classes that the revenge that was taken in Ahmedabad was for the good of the city, the state and the country as it would serve as a good lesson to recalcitrant Muslims. They harboured deep misgivings about the Muslim minority, its absolutist religious dogma, its perceived penchant for violence and its belief in a brotherhood that extended beyond the borders of the country and was possibly loyal more to this brotherhood than to the land of their birth. They had succumbed to the propaganda that Muslims were a pampered lot and that it was the Congress which had pampered them because of votebank politics.

I do agree that the community needs to modernise, to liberate their women from the veil, to fight illiteracy and then poverty, in that order, because one leads to the other and that their education should extend beyond religious matters to the more mundane for their economic advancement. But these shortcomings and problems

cannot be solved by killing them in the manner that the poor and the helpless were despatched in Ahmedabad. Terrorism cannot be fought by similar tactics nor can the killing of non-combatants ever succeed in subjugating an entire community. In recorded history, the experience has always been the opposite. What I worry about most is that the communal poison has spread so deep in the hearts and minds of the Hindu middle class that it will have to be extracted by super-human efforts before we can hope to re-establish any semblance of communal unity.

The Times of India, 23 April 2002

IN THE SHADOW OF GUJARAT

RAHUL BAJAJ

At the outset, I must make it clear that I have not visited Gujarat in the past two months. The media, both print and electronic, have reported extensively on the carnage and depicted the Gujarat administration in a poor light.

However, individuals and governments should do the right things because they are right, and not because they fear negative portrayal by the media. There is an urgent need to realise that we are human beings first; religion and caste come later. We want India to be a civilised society that makes us proud to be Indians. I agree with the Prime Minister that what has happened in Gujarat makes us hang our head in shame. Our sense of a just and fair society has been outraged by the recent carnage in Gujarat.

India is a secular country. We have rights, duties as well as obligations as human beings and as Indians. The silent majority believes in secularism. I do not believe that secularism means being anti-religion. I am a proud Hindu and firm believer in '*Sarva dharma samabhava*'. This, to my mind, is the essence of secularism.

Hindus have to be magnanimous. There should not be a demand for a hundred per cent level playing field. The majority community has to contribute to generate a feeling of 'bhaichara' with the minorities.

There may be arguments for and against secularism. The so-called secular parties have been appeasing the minorities to get their votes. Today, the BJP appears to be trying to appease the ma-

jority community to garner their votes. Both are wrong. We cannot prosper by adopting such an attitude.

I am against appeasement of minorities as it is not justified. However, we must remember that the majority and the minority communities are nowhere near being numerically equal with the majority community constituting 86 percent of the population. The minorities have every right to live as equal citizens of the country with full security and dignity. The majority community has to be magnanimous in its attitude and approach towards the minorities. It should not expect them to live on its goodwill. Simultaneously, the minorities should be sensitive towards genuine feelings of the majority community.

We are all aware of events in Godhra and its aftermath. There are many who believe that the events in the rest of Gujarat were a reaction to Godhra. I can understand a common man's reaction on seeing a close relative or friend being assaulted. Retaliation, on such occasions, may be understandable and a natural emotional reaction. But people in authority cannot afford to make such a comment. The Government cannot allow anyone to take the law into his hands and it is duty bound to maintain law and order. After all, we are not a vigilante society yet.

Ahmedabad continues to be a trouble spot as a large number of Godhra victims were probably from the city. In such circumstances, politicians have to behave as statesmen. They cannot allow base emotions of people to guide them, leave alone letting troublemakers do what they want. Politicians have to decide whether they have a bigger stake in disorder than in enforcing order.

There is a feeling among some people that the present atmosphere spells an electoral victory for the BJP in Gujarat. I do not know if it is true but I will be disappointed if it happens. People should not support a state government that has failed to carry out its primary duty of protecting the life and property of its citizens. I agree with Deepak Parekh who said that if a Government cannot maintain law and order, then it must go. What is more important, however, is that no one should use such circumstances to gather votes.

Article 356 of the Constitution empowers the Centre to impose President's Rule in the case of a breakdown of constitutional machinery. The provision has been wrongly used in some past instances. But it has been correctly used too. It can be used in this instance if the State Government is not successful in restoring peace immediately.

Hindutva does not preach hatred. Statements such as 'serves them right' and 'go to Pakistan' should be condemned by all sections, especially the intelligentsia. This is nonsensical behaviour. The events of September 11 and similar developments elsewhere have demonstrated that terrorism does not need much capital. We have been victims of cross-border terrorism ourselves. I am sure we all remember the serial bomb blasts in Mumbai in 1993. We have to be careful not to let terrorism breed within our country.

And events in Gujarat can breed terrorism. The minority community is about 14 per cent of the population. They may be devastated by recent happenings. Minority bashing is intrinsically abhorrent and pragmatically avoidable.

The Muslim community has produced some of the country's finest minds and outstanding individuals. But some militant sections of the community are vocal and this is creating bad blood between the two communities. Both communities must introspect.

At the same time, we must realise that some people are taking advantage of the situation. Hindus should avoid saying minorities depend on their goodwill. Both sides have to live on each other's goodwill.

Whether due to circumstances or the intelligence of the silent majority , we have lived together for centuries. We are proud of the fact that we have been happily co-existing despite adverse circumstances, despite poverty. It is the extreme fringe elements on both sides that are creating the present unfortunate situation.

The thrust of our economic and social policies is to create a just and fair society with per capita income progressing rapidly. We are nowhere compared to China in spite of being more open. It is bad enough that internal reforms are taking so long. Events like the Gujarat carnage will further impede our economic progress. Roads, power and infrastructure are the crying needs of the hour. Those who say domestic and foreign investment in Gujarat and foreign investment in general will not be affected by the riots in the State either don't know what they are talking about or are not keen to admit the reality.

But we Indians have a very proud and illustrious history. We are known for our wisdom, enterprise and the willingness to adjust and sacrifice.

The violence in Gujarat is an aberration. It is the creation of undesirable elements that are fortunately not large in number. The majority of our people, I am convinced, will get over this catastro-

phe so that India can continue its march towards becoming a just society and an internationally competitive and self-reliant economy.

The future of India is in our hands. Let us together make it brighter.

Hindustan Times, 28 April 2002

ANTI–MUSLIM CRUSADE

Liberal Islam is best Defence

RAFIQ ZAKARIA

The moderates or liberals among Muslims the world over must put their heads together and consider how to counter the challenge that Islam faces from the West. True, George Bush, Tony Blair and many other European leaders have denied it but emerging trends are not so promising. I agree that the so-called jehadis have provided the ground for America to mount a frontal attack on Afghanistan, killing over 50,000 of its innocent citizens subscribing to Islam. President Bush has also announced that he proposes to treat two other Muslim countries, Iraq and Iran, similarly because he is convinced they are fostering and harbouring terrorists.

So far, those who have been nabbed all carry Muslim names. This has naturally generated a certain apprehension among non-Muslims about their security. Mrs Margaret Thatcher in an article published recently in *The Guardian* has gone to the extent of calling upon western powers to deal with militant Islam in the same manner as they dealt with Bolshevism. She writes, 'Perhaps the best parallel is with early communism. Islamic extremism today, like Bolshevism in the past, is an armed doctrine. It is an aggressive ideology promoted by fanatical, well-armed devotees. And, like communism, it requires an all-embracing long-term strategy to defeat it'. Applauding America for the success it has achieved in its fight against, what she calls Islamic terrorism, Mrs Thatcher calls upon the mightiest superpower to strike at other centres of Islamic terror that have taken root in Africa, Southeast Asia and elsewhere.

Finally, she openly declares that the West should cripple Muslim rogue states like Iran, Iraq, Syria, Libya and Sudan, because they

are enemies of western values and interest. This would require, she said, massive use of force, but the West should not hesitate to use it because, to quote her words '...for too long we have not been vigilant. We have harboured those who hated us, tolerated those who threatened us and indulged those who weakened us. As a result, we remain, for example, all but defenceless against ballistic missiles that could be launched against our cities.'

If this is not a call for a crusade against Islam, then what is? Muslims have, therefore, to decide how they are going to protect themselves against this possible onslaught against them. It will be worse than the first crusade that their ancestors had to encounter. That was an armed conflict which the Muslims were fully prepared for. But are they today? Do all the Muslim countries together have the military capabilities, the technological expertise, all the other elements necessary for such a combat? The answer is no.

General Musharraf, while inaugurating the International Islamic Conference on Science and Technology, frankly told the delegates, 'Muslims form one-fourth of humanity; but we are the poorest, the most backward, the most unhealthy and, indeed, the most deprived and the weakest of the human race'. What chance do these Muslims then have in a confrontation with the mightiest world power?

Prof Samuel Huntington has forecast in his monumental work *The Clash of Civilisations* that the next round will be between Islam and the West. It is time, therefore, for the present generation of Muslims to ponder over the consequences of such an uneven contest; they must try and prevent it by working hard to change the environment which is provoking leaders of the West like Mrs Thatcher to threaten such a terrible course of action against them. Their targets presently are the jehadis, whose barbaric behaviour, suicidal operations and hate campaign have convinced non-Muslims that most Muslims are behind them. They must fight these elements who hijack planes, bomb places, kidnap innocent persons, burn women and children, create disturbances and kill and get killed in the hope of obtaining assured places in heaven.

Their terrorist acts are in flagrant violation of the Koranic injunctions and have brought disgrace to the teachings of the Prophet. According to Winwood Reade, the pioneer of rationalism, Mohammed was far ahead of his time. He uplifted the poor, the deprived and the oppressed everywhere. He gave the highest sanctity to human life and ushered in a movement which kindled the brightest light of enlightenment in various forms of knowledge, science and the arts

in different parts of the world, including Europe.

By misunderstanding the Prophet's role in history and his humane mission, a sizeable section of the present generation of Muslims, apart from the jehadis, are also betraying his legacy; they must do justice to it by adjusting themselves to a modern way of living and thinking. They must dress, live and conduct themselves in accordance with the changing times. Moreover, they must know that long beard, short pyjama and flowing veil do not constitute the faith. Those in power in Muslim countries are largely responsible for the sordid state of affairs which has overtaken the community. Their authoritarian rule and denial of basic human rights to their people have bred fanaticism and forced the youth to take to a suicidal path.

Prof Ziauddin Sardar of King Abdul Aziz University of Jeddah has rightly observed that by emphasising the precision in the mechanics of prayer and ablution, length of beard and mode of dress, many Islamic nations have lost sight of individual freedom, the dynamic nature of many Islamic injunctions, and the creativity and innovation that Islam fosters within its framework.

However, the West, especially America, is no less to blame for what is happening in the Muslim world. It has thwarted every move by Muslims to modernise and reform themselves; it has encouraged the emergence of religious extremism among them, fostered fundamentalism by giving financial and political support to wrong regimes and patronised their madrassas and training centres specialising in terrorism. It is well-known that Osama Bin Laden is the creation of America. As Christopher Dickey, an eminent America author, has pointed out, the US, for its part, rarely cared much about liberal democrats in Muslim societies and has often worked against them. During the cold war, Washington favoured Islamic fundamentalism as a bulwark against communism.

There is, therefore, no ideological basis for the civilisational clash between Islam and the West. Why then victimise the millions of innocent Muslims, living a peaceful existence, for the gruesome crimes of their demented co-religionists, who are as much a menace to Muslims as to non-Muslims? The so-called jehadis, patronised by Pakistan, must be targeted and crushed. But why target Islam, which condemns unequivocally such mindless intolerance and senseless killings?

The Times of India, 15 March 2002

DHARMA WAS KILLED IN GUJARAT

K. SUBRAHMANYAM

Though the term Hindu is not of indigenous origin, I am proud to consider myself a Hindu. That pride has been deeply hurt by what others using that label have done in Gujarat. What they did was typically un-Hindu, even anti-Hindu. What distinguishes the Hindu culture, philosophy and outlook on life from all other religions, faiths and civilisational traditions? In Hinduism alone you are able to say 'Brahmasmi' (I am God) and to your neighbour, 'Tattvamasi' (You are the truth).

How can people who stabbed, burnt and killed their neighbours call themselves Hindus? Alienated from the Hindu tradition and rejecting its finest thoughts, harbouring a deep sense of inferiority towards the semitic religions, attempting to imitate and organise themselves on dogmatic structures, giving up the free and inquiring ways of Hindu philosophy and thought, these detractors have launched a campaign to destroy the spirit of the Hindu way of life. These anti-Hindus call themselves Hindus but in spirit and thought they belong to the dogmas of the dark ages.

Hindu tradition is based not on acceptance of particular gods, dogmas, revelations and religious structures but on reverence for *Dharma* which is the rule of law and the ethics of the age. In the Hindu way of life there are no God- or Prophet-given laws. Dharma is not immutable but is liable to change to be in consonance with changing times – hence, the concept of *yuga dharma*. Today's ethics, formulated by the constitution, is secularism – that is the yuga dharma. Violators of it cannot be considered Hindus; they can only be looked upon as enemies of the Hindu way of life.

The true Hindu way of life is in danger today but not from those who follow other religions. It is threatened but those who want to imitate others and abandon its essence, because they have misinterpreted it through the prism of dogmatic faiths. For those who assert 'Brahmasmi' and 'Tattvamasi', it does not matter if the temple at the birthplace of Rama comes up a few years or a few decades later, if it comes up at all.

Why is Rama the most popular of all the nine avatars? Because he was a Maryada Purusha, who practised Eka Patni Vrata, gave Ram Rajya (good governance) and defended Dharma (rule of law).

Rama cannot be venerated by those who transgress Dharma by killing innocents. A way of life which highlights the birth and death cycle, allows one the freedom to worship God in any form or not to worship at all, proclaims the cosmic universality with its *Advaita* cannot be reconciled with the killing of innocents.

Dharma was killed in Gujarat. The rulers who failed to protect the innocent citizens are guilty of *adharma* and if Rama had been alive he would have used his 'Gandiva' against the 'asura' rulers of Gujarat.

The Hindu way of life will survive because it is the natural, free, inquiring way. The reverence for life, which is the essence of birth and death cycle, the worship of *Ishta devatas* and the ability to see God in all things living and non-living has to be restored. The temptation to imitate others by trying to straitjacket the free Hindu way of life into structural frameworks must be resisted. Dharma – the rule of law – must be restored. Ram Rajya – good governance – should be established and nourished. The Hindu way of life is not the same as accepting an organised religion. Therefore, this way of life can be propagated, cherished and practised without having to come into conflict with other religions. Comparing the Hindu way of life with other religions is like comparing apples and oranges. The Hindu way of life is the essence of secularism. Its thought processes and philosophical reflections are meant to be observed privately; in public, Dharma, the rule of law, has to be respected.

Recently the prime minister referred to two kinds of Hinduism – one of Vivekananda and the other of the self-styled 'Hindu' extremists. The latter is in the same class as the extremist clergy of religions. There is no difference between those Hindu extremists and the fundamentalist clergy of semitic religions. Part of the problem has been that the Hindu way of life has not been explained to our children as a secular way of life and that it is not the practising of a religion as understood elsewhere in the world.

The Times of India, 4 April 2002

HAS COMMUNALISM CHANGED?—II

IMTIAZ AHMAD

Contemporary communalism operates within the framework of an enhanced desire of majority communalism to control and manipulate the leverage of state power. This form of communalism became prominent in the 1990s as a result of a deep legitimacy crisis of the Indian state in the face of economic liberalisation. Merely dislodging majoritarian forces from state power is not going to be sufficient to stamp this form of communalism out. Nor can it undermine their social and cultural hegemony. One must understand the link between modern thinking and daily-life viewpoints in civil society to deal with it.

Since Independence, India has been pursuing the ideal of nation-building based on secularism. Indeed, the process of modernisation has always had as its focus the reduction of barriers between religions, languages and castes (or tribes) by establishing a secular state and ultimately a unified nation. However, a marginal retracing of history reveals that it was colonial rule that brought western-type modernisation to India and 'invented' the currently accepted view of Indian society as clearly segmented by social barriers.

Communalism in India shows that the achievement of constructing a secular nation-state modelled on the modern western concept of civil society has been hindered by realities. Communalism continues to be given a tautological explanation in terms of conflict between religious communities or explained reductively as a conflict among secular interests under the cloak of religion. As a matter of fact, it is not the ignorant but the highly educated Indians who acquire the modern mentality that supports communalism. To truly understand communalism, one must go beyond the present interpretations that view it as a conflict of interests between religious groups and assess it from a historical perspective as reflecting the limitations of modern thinking which has dominated since colonial times.

Communalism is caused by the repression of the 'daily-life viewpoint' by the dominance of a 'transcendental viewpoint' inherent in modern thinking. In modern society, which emphasises reason, a rationally objective view tends to repress an irrational subjective view.

As Kenichi Mishima, a Japanese scholar, has argued, 'post-traditional society, which reveals the danger of reason, requires a proper balance between reason and the other of reason'. Today, with the collapse of the cold war structure, the ideal of modernisation that is secularism based on reason has also weakened. This problem is not unique to India, but common throughout the world. It must be understood in the context of the deadlock of modernisation, namely, worldwide resurgence of religions which surfaced with the end of the Cold War. Paradoxically, both secularism, under which reason governs religions, and communalism, which liberates non-reason in the form of resurgence of religions, are two sides of the same coin of the modern age. Both are born from modernity and are striving within the limits of modern thinking.

Nonetheless, this strife between secularism and communalism can be regarded as a fluctuating process in the pursuit of a balance between reason and the other of reason, namely groping for a post-modern episteme. The emergence of a new version of communalism since the 1990s can be attributed to economic liberalisation that realised the spread of consumerism and the development of the new media, particularly television. During the 1990s, TV began spreading rapidly, reaching into rural villages and low-income households. The spread of TV enormously changed the informational environment of Indian society. The drastic effect of the spread of TV on society is the realisation of the nationwide unification of information. Even before the spread of TV, print media existed in Indian society. Nonetheless, the TV, which represents visual images instead of letters, found it much easier to access people throughout the country regardless of social class. As a result, the TV enables the public to more thoroughly live by sharing the same information.

Transmitting live images, TV permitted local viewers to see things from national and even global standpoints. The public therefore began to have two types of information: direct information obtained through first hand experiences and information transmitted by TV comprising images and knowledge but no first hand experiences.

Since TV images, despite the incident taking place in a distant place, appear as 'real' as those seen in first hand experiences, the 'real' images occasionally confuse viewers by blurring boundaries between 'daily-life viewpoints' and 'transcendental viewpoints'. This magic of encompassing of 'daily-life viewpoints' by 'transcen-

dental viewpoints' works for the generation of the phenomenon of communalism through two processes: the magic of categorisation' and an increase of warm consumer effects by a middle class syndrome.

To explain the 'magic of categorisation' one can refer to any local community in a distant part of the country. To them, Ayodhya was a place that had no relation to their daily lives. However, when TV broadcasts transmitted scenes of the destroyed Babri Masjid, Ayodhya was no longer an irrelevant place at least in the domain of imagination. As a result, the incident, which was interpreted as communalism between Hindus and Muslims, began to cast a dark shadow over local communities in which both Hindus and Muslims shared a common culture. This meant that local people in every part of India shared the same visual information, which reflected their incorporation into a 'transcendental viewpoint'. In this regard, it is worth pointing out that TV spread modern thinking, allowing viewers to see their daily life from a 'transcendental viewpoint' and the popularisation of such a 'transcendental viewpoint' supports the development of majority communalism.

What is here referred to as the 'magic of categorisation' refers to an effect of categorisation from a 'transcendental viewpoint', that is, a strong sense of ties and affinity cultivated by the automatic assumption that individuals belonging to one category are siblings and share a common identity. For instance, any individual once categorised as Hindu immediately develops a strong affinity to others who similarly describe themselves including strangers in remote places. It can be called'magic of categorisation' because 'daily-life viewpoints' from which a person regards someone he has never met as a stranger are repressed by the sympathy generated by a 'transcendental viewpoint'. Thus, the situation of communalism involves the 'magic of categorisation' since other persons are always categorised into either friends or foes in an inflexible manner regardless of individual differences within each category. The best way to attenuate communalism is to stay away from its trap. However, the problem concerning the balance between reason and the other of reason still remains unsolved. To cope with this problem, we must change our worldview that categorises objects and people in a uniform view. We must get rid of the one-dimensional, inflexible state of identities, which emphasise consistency. Gandhi probably had this mind when, at the height of the communal frenzy in

Noakhali soon after partition, he said: 'You say Hindus are killing Muslims and Muslims are killing Hindus. I am a Hindu, but I am also a Muslim, a Christian and a Sikh. You are all also all of them.'

The Hindu, 13 April 2002

MAKING SENSE OF GUJARAT

BHIKHU PAREKH

The horrendous violence that has occurred in Gujarat since 27 February raises three questions. First, since intercommunal violence is not new to Gujarat, is its current manifestation significantly different and, if so, how? Second, how does one explain it? And third, what lessons can we learn for the future? I shall take each question in turn. Since all the facts about the recent events are not yet available, my answers to all three, especially the first two questions, are necessarily tentative.

Every Indian state has its own distinct pattern of intercommunal violence. Although none is wholly free of it, some such as Himachal Pradesh, Punjab, Haryana, Kerala and Tamil Nadu have witnessed far less of it than such others as Bihar, U.P. and Maharashtra. Unlike the latter, Gujarat is not prone to communal violence in the sense that it does not tend to occur with distressing regularity, as is evident in the fact that during the past fifty years, Gujarat has enjoyed over thirty years of communal peace. However, when violence does occur, as it did in 1969 and in 1992-93, it tends to be extensive and to last longer, giving Gujarat the dubious double distinction of having the highest per capita deaths in such violence in the country and causing the highest number of casualties in a single cluster of riots.

Compared to 80 deaths in communal riots per million in Bihar and 42 in the neighbouring Maharashtra during the past fifty years, the figure for Gujarat is 120.[1] In the riots in 1969, 630 people died according to official estimates (though the real figure seems to be closer to 2500) and many more were seriously injured, a figure unmatched by any other Indian state. Gujarat thus presents the remarkable paradox of a relatively peaceful and relaxed society

periodically seized by a communal frenzy and erupting into most savage acts of violence, almost as if it needed such abnormal bloodletting to retain its normal civility.

Since 27 February this year, Gujarat has been passing through its third violent phase. It has killed nearly a thousand people and injured or rendered homeless many times more. Although the scale of casualty is high, it is not much higher and, many would say, even lower than in 1969. The blatant partisanship of the public, the looting of shops, and the biased and at times irresponsible reporting in the media are not new either. Several features of this violence, however, are either wholly new or have taken novel forms.

First, burning people alive in a systematic and gruesome manner is new. As many as 400 people out of nearly a thousand seem to have been killed in this way. This can be partly explained as a case of 'fire for fire', a response to the initial incident in which 58 people were burned to death. This is not, however, a whole explanation. The mode of violence derives its logic and legitimacy from the overall framework within which violence is conceived and justified. When violence is not interpersonal but intercommunal and part of one community's collective hostility against another, as was in the case in Gujarat, burning people alive has sinister advantages and a macabre logic not available to usual forms of killings. It can be easily executed by organised groups with the tacit support or acquiescence of their community, used to wipe out large numbers indiscriminately, poses no danger to the perpetrators, and helps create the intended climate of terror.

Second, in earlier riots the Sangh Parivar was not as publicly active, and the government not as patently partisan as now. There was also a public disapproval of violence, and a plea for communal harmony. During the recent riots, communalism ran extremely deep and pervaded almost all areas of life. The Gujarati media were grossly biased and even provocative. The government gave up all pretence of neutrality and openly encouraged Hindu violence. It even offered differential compensation to Hindus and Muslims, and wants to try them under different laws, Muslims under POTA and Hindus under IPC. Communalism seems to have spread even to some hospitals in Ahmedabad. And the advocates of intercommunal harmony are not only thrown on the defensive but positively terrorised into silence.

Third, the violence in Gujarat did not remain confined to the usual cities of Ahmedabad and Baroda (the 'sanskarnagari' as its

citizens have been taught to call it without any sense of embarrassment and irony), but extended to 37 cities and towns and even to some villages that had no previous records of such violence. Even Gandhinagar became a victim, where fire was set to the offices of the government Wakf Board and the Minority Development Board.

Fourth, violence in Gujarat involved groups that had hitherto kept out of it. These included the adivasis, subjected in recent years to the systematic process of Hinduisation and 'protected in their own interest' against Christian and more recently Islamic missionaries, as a VHP leader put it. The new groups also included professionals, especially doctors, lawyers and teachers who, while avoiding active participation, donated money, offered moral support and encouragement, and provided free services to Hindu victims of violence. They drove in their cars to burning buildings and watched the horrid spectacle with a measure of relief and even pride.

Not surprisingly, the groups who would normally have protested, organised silent visits, mounted demonstrations or sent petitions to the state Governor were largely silent. Even the Gandhians, the social activists, and progressive religious leaders were relatively quiet. They either sheltered behind the excuse of the helplessness or argued that although the Hindu violence was deplorable, it was an understandable expression of legitimate anger. The public space in Gujarat shrank dramatically and little was heard but the raucous voices of rage and revenge.

Fifth, unlike in almost all previous riots, several sacred Muslim places such as the mosques and the dargahs were not only razed to the ground but replaced by saffron flags and the statues of Hanuman. This was highly symbolic, for it was a way of humiliating Muslims and telling them that their religious and other liberties were not a matter of right but a Hindu gift that was conditional on their continuing gratitude and evidence of good behaviour. Muslim houses, shops and industrial units too were systematically targeted, and a virtual economic war was declared on the whole community. Muslim intellectuals were attacked with particular hostility, and their voices of protest brutally silenced.

Finally, the rhetoric surrounding the violence showed several unusual features. It was targeted not only against those responsible for the event of 27 February, but against all Muslims. The latter were linked with Pakistan and presented as an internal enemy. The violence against them was driven not so much by communal hatred as in the

past but a dangerous mixture of self-righteous rage and despair, rage that Muslims had engaged in a 'terrorist' act, and despair that they 'would never be ours', as a newspaper commentator put it.

Hindus worked themselves into a state of frenzy and resorted to violence, not just in legitimate self-defence but as an act of patriotism and a well-deserved chastisement of Muslims for their alleged ingratitude and betrayal. Their violence often lacked instrumental rationality and was devoid of any sense of guilt and remorse. It was not the usual form of communal violence but a veritable war on the Muslims, and terrorist in its nature and intention. Gujarat, which had once given India its doctrine of non-violence, was now the home of a most perverse form of intercommunal violence.

This is a new Gujarat, not the one I knew as a child, which I love, and to which I am still proud to belong. Like the rest of India, society in Gujarat has long been suffused with the spirit of violence. But it had mechanisms to control and regulate it, and had managed to remain decent and civilised. How then can one explain recent changes in it?

The gruesome event of 27 February played an obvious part. All the currently available evidence indicates that it was planned. Several hundred Muslims, supported, guided and even aided by the Mayor and the municipal corporators of Godhra, stopped the Sabarmati Express a little distance from the station, poured petrol, and killed 58 people including children and women. They could have spared the latter, but showed no mercy. They could have beaten up the kar sevaks and humiliated them, but chose instead to subject them to a most gruesome death.

They are bound to have known that their action would invite reprisal, but did not mind it in the least and seemed to challenge the Hindus to dare do their worst. In short, burning down the carriage was a heinous and terrorist act, devoid of mercy, moderation, prudence and even an elementary concern for self-interest. Even if it is true that kar sevaks had insulted and taunted some Muslims, refused to pay for their goods, and even kidnapped a Muslim girl, nothing could justify the atrocious deed. A strong Hindu reaction was only to be expected.

It need not, however, have taken the form it did. The Hindus could have blamed the few hotheads and left it to the government machinery to deal with them. Or they could have blamed the Pakistan ISI, as some did, and absolved the Godhra Muslim masses of the major blame. After all, as was widely known and admired in

Gujarat, the far worse events of 11 September in New York and Washington D.C. had not led to organised violence against American Muslims or Arabs. Only a handful of them were manhandled and half a dozen killed or grievously injured, largely because the political leadership went to great lengths to persuade the ordinary Americans that they should leave the matter to the machinery of the state. The opposite happened in Gujarat. Why? Since the full explanation is complex and requires a lengthy discussion. I shall only highlight its five major ingredients.

First, the government of Gujarat and the central government failed to act in time with the required degree of political wisdom and maturity. Following and quoting the examples of the United States and Britain after the events of 11 September, either or both governments could have condemned the Godhra incident, promised to bring the miscreants to swift justice, appealed to the good sense and long-term interests of the Hindus, urged them not to blame ordinary Muslims and play into the hands of their militants and the ISI, and so on. Sadly, not much was to be expected of the Modi government, but the prime minister could certainly have given a lead.

Second, since 11 September it has been widely believed in India that the events like those of 27 February were likely to occur sooner or later. The defeated Al Qaeda were believed to be looking for new trouble spots and India was their most likely target, particularly Kashmir. Gujarat's perception was somewhat different. It is a frontline state, with its three districts of Kutch, Radhanpur and Thorad bordering Pakistan, and hence vulnerable to Islamic terrorists. Given its currently popular reading of its medieval history, including the destruction of the Somnath temple, Shahbuddin Ghori's treatment of Prithviraj Chauhan, and so on. Gujarat also tends to see itself as an Islamic gateway to India, a state whose prosperity attracted Muslim invaders and whose defeat paved the way for their successful entry into the rest of the country.

The burning of the carriage in Godhra appeared to confirm these fears and aroused powerful passions. Without much analysis or evidence, it was construed as a sign of the widely expected Islamic terrorism, which Hindus had to put down with all the force at their command. Gujarat has long felt that its geopolitical importance is not fully appreciated by the rest of India and has not earned it its due political weight at the national level. Not surprisingly, many Gujaratis leapt to a highly distorted view of the Godhra incident

and took it upon themselves to defend India against its internal and external 'enemies'.

Third, for reasons too complex to explore, Gujarat is going through a period of profound cultural change. For the past few centuries, its traditional culture has been shaped and dominated by the higher castes made up of the Brahmins, the Banias and, to a slightly lesser extent, the Patidars. They wrote its literature, produced its arts, interpreted its religions and philosophy, and created over time a subtle and highly complex culture that spread to and determined the norms of other sections of society. That culture is largely apolitical, hierarchical, tolerant, casteist, moralistic, devotional and moderately religious. Gandhi injected into it a strong social consciousness and the spirit of equality, but did not radically alter its overall framework.

Its political domination was challenged by the numerically larger lower castes, especially after Gujarat became a separate state in 1960, and Madhavsinh Solanki's winning KHAM (kshatriya, harijan, adivasi and Muslim) strategy gave it a much needed impetus. The higher caste guardians of the dominant culture felt threatened, and found in the Hindutva-based Gujarati culture and effective and acceptable alternative. The latter makes them guardians of Hindu culture, ensures their dominance, splits the political alliance between the lower castes and the Muslims, and integrates the former within the cultural and social order of Gujarat.

Muslims are not easy to fit into the new Gujarati culture and its model of a 'good Gujarati'. They speak ashuddha Gujarati and lack a compensating command of chaste 'Urdu' whose poetry literate Gujaratis greatly admire, and do things no Gujaratis should do, such as illicit bootlegging, eating meat, practising polygamy and forming part of the underworld. Muslims, therefore, have only two choices, namely remain permanent cultural outsiders or, more sensibly, change their ways, speak, act and live as good Gujaratis do, and keep to their place in society.

Self-respecting Muslims rightly resent this choice, and as they are throwing up an increasingly larger middle class, the resentment is rising. They do not want to live in Gujarat on Hindu terms, to be denied the right to help shape the new identity of Gujarat, to be subjected to offensive innuendos and stereotypes, to have their legitimacy and patriotism challenged. They demand respect for their cultural identity and full equality as citizens. This threatens the new identity and material interests of, and predictably provokes in-

tense hostility among the guardians of the Hindutva-based Gujarati culture, especially the middle classes. Hence the uncharacteristic rage, frenzy and viciousness that many of the latter showed during the recent riots.

Fourth, although Hindus and Muslims have lived together in relative harmony in Gujarat, there is extensive residential, social and educational segregation in many parts of the state. In Godhra some areas with a heavy Muslim concentration are called 'Pakistan', and many Hindus tend to avoid them. This is also the case in Ahmedabad and several other cities.

Hindu and Muslim children often go to different schools, and the social interaction between the two communities is largely confined to the elite. There are few intercommunal associations where the two met, pursue their common interests, and build up solidarities based on mutual trust. Muslim presence in the police force and the civil service is small. Their representation in the Gujarat legislative assembly is poor, and was never more than four per cent (a third of its numbers in the population as a whole) even during the heyday of the KHAM strategy. This is why the Gujarat police had no intelligence on the Godhra incident, and was caught unawares. And this is also why the police and the Modi government did not have to worry about the likely resignations of prominent Muslims in protest against their unpardonable partisanship.

Finally, Muslim leadership in Gujarat and in India as a whole leaves much to be desired. Some are too willing to be co-opted into the system, and have little interest in their community except as a captive vote bank: some are happy to be outlaws, masterminding the underworld and making easy money by dubious means; most are adrift. Barely a handful of them have campaigned against their community's unacceptable social and moral practices, the tyranny of its religious leaders and their exploitation of their gullible followers, or urged Muslim masses to take enthusiastically to modern education and join the cultural mainstream of Gujarat.

Some, no doubt a tiny but vocal minority, have made provocative remarks about Hindu religion and culture and even disavowed their loyalty to the country. It is also depressing that there was no immediate and strong condemnation of the burning of the kar sevaks by the Muslim leadership either in Gujarat or at the national level. One would have thought that both morality and self-interest would have prompted them to do so.

Even the Ayodhya issue has been treated as if it were solely a

Hindu responsibility. The Hindus were unwise to raise it, not because of the lack of historical evidence that Rama was born there, for the evidence in such matters is always soft and based on popular belief, but because history cannot be easily undone, because India can ill-afford communal tensions at this delicate stage in its history, and because such issues are best settled when the two communities build up more relaxed and trustful relations with each other.

However, once the Ayodhya issue became an obsession among large sections of Hindu society, it was no longer a religious but a political dispute requiring good will and compromise on both sides. Political prudence and their own long term self-interest demanded that rather than stonewall the discussion and take a consistently hostile line, Muslim leadership should have shown some appreciation of Hindu feelings, however misguided they might think these to be, explained their own deepest fears and anxieties, helped calm the passions, and invited and constructively participated in a sincere search for the best ways of dealing with such disputes.

The Gujarat violence then was the product of a complex set of interacting factors. The burning of the carriage on 27 February was its immediate cause. And the fear of such an attack and the consequent climate of revenge gave it an added force. The chain of events that this triggered off was not inexorable and could have been arrested had the government acted with wisdom and foresight. The fact that it did not, as well as the savage passion which the events released among Hindus, were in turn the result of a wider set of cultural, social and political factors, including the polarisation between the two communities, the pervasive communalisation of the Hindus, and narrow electoral calculations.

What happened in Gujarat is likely to recur, if not there, in other parts of the country. Ayodhya will remain a festering sore for some time yet. The Muslim middle class will grow and knock at doors the threatened Hindus are unlikely to open. Political instability in Pakistan and the neighbouring regions will tempt their leaders or disgruntled groups to embark on adventurist interventions in India. Economic, educational and other disparities between Hindus and Muslims are likely to widen.

All this is likely to trigger intercommunal violence from time to time, and it is likely to be of the vicious kind that we have witnessed in Gujarat. We obviously need a coherent strategy to deal with it, and it will need to be different form the one on which we

have relied with moderate success for the past fifty years. I would like to end with a few thoughts on its broad outlines.

Intercommunal violence undermines India's stability and capacity to function as a democracy, and must be put down firmly. This is the first responsibility of every state and central government, and one that fails to discharge it should be required to resign as a matter of course. If need be, our Constitution should be appropriately amended. Furthermore, any political leader or minister suspected of instigating it should be prosecuted on criminal charges and disqualified from holding public office. It is scandalous that none of the political leaders implicated in any of our countless communal riots has ever been sent to prison. If we can have POTA, there is no reason why we cannot enact a far more relevant Prevention of Communal Violence Act.

The police too have a crucial role to play. They should be required to act with utmost impartiality, and dismissed and prosecuted for criminal negligence when shown to have failed to do so. Our criminal law needs to be revised to allow for private or public prosecution of such officers. The police act partially because of political pressure, poor professional ethics, lack of independent control, and absence of minority officers in high positions. Determined efforts should be made to insulate them against political pressure, to improve their training, to recruit and promote qualified minority officers, and to set up independent disciplinary committees made up of the representatives of different communities and enjoying the power to conduct inquiries against partisan officers.

The current practice of setting up judicial committees of inquiry into riots needs to be reconsidered. These committees are time-consuming, expensive, adversarial, and take years to produce their reports by which time the initial riots are forgotten, the government or its attitude is likely to have changed, and there is an inevitable political pressure to shelve their reports.

Take Gujarat. J.M. Reddy's inquiry into the 1969 riots took four years, and its report was shelved. I.C. Bhatt's and P.M. Chauhan's inquiries were wound up after a while. Since the judicial committees are only concerned to establish facts and apportion blame, they not only entail yet further litigation but do little to heal the wounds and reconcile the affected communities. I suggest that the inquiry committees should be proactive and investigative rather than adversarial and report within six months; they should be concerned not only to ascertain facts but also to reconcile the parties, and

should therefore include not only the judges but also respected leaders of the communities involved; and the government should be required to implement their recommendations unless it gives good reasons to the contrary.

Intercommunal violence cannot be tackled by the state alone. The institutions of civil society too have a vital role to play. It is, therefore, crucial that in all sensitive areas, extensive networks of intercommunal groups should be formed. They should be made up of the representatives of different communities with a track record of public service, interact on a regular basis with their constituents and earn their trust and goodwill, enjoy access to government ministers, officials and the police, and be willing and able to act in times of trouble.

Wherever such networks exist in the country, they have played a vital role in calming passions, quashing rumours, providing vital intelligence, and acting as a bridge between the various communities. Suresh Khopade's successful experiment in Bhiwandi in the 1980s shows how valuable such groups can be. When the rest of Bombay suffered in 1992-93, Bhiwandi remained relatively undisturbed.

Strange as it may seem, India has no strong anti-discriminatory legislation, and naturally no machinery to enforce it. India's Human Rights Commission has been a great success and is much admired abroad, so much so that we on the British Parliamentary Select Committee on Human Rights are coming to Delhi in September this year to learn from it. Such a commission, however, is not good enough. Much discrimination occurs against Muslims in all walks of life, and they have no legal redress. I saw cases of this during the three years that I was Vice Chancellor of the University of Baroda in the 1980s, and was disturbed by the growing sense of injustice and alienation among middle class Muslims.

Anti-discriminatory legislation is ineffective without a powerful body to enforce it and to mobilise much needed popular support behind it. It can take up individual cases well as conduct investigations into suspect institutions and organisations. I can say from my experience as Deputy Chairman of the Commission for Racial Equality in Britain that such legislation and machinery can go a long way towards reassuring minorities and winning popular confidence in the country's system of justice. It would also help greatly to assign such a body the power to monitor the progress of different communities, and to propose ways of addressing the problems of those lagging behind the rest.

Thanks to our unplanned economic development and the impact of globalisation, some of our minorities, especially the Muslims, are denied the fruits of such prosperity as we have managed to achieve. Both central and state governments must find ways of redressing this growing disparity. Extending reservations is not the answer. We need instead greater investment in Muslim education, greater financial and managerial help to their small businesses, a greater determination to open up careers that they rightly or wrongly believe to be closed to them, and so on, all done with the threefold objective of eliminating acute poverty, fostering a confident middle class, and giving their masses the hope of a better future.

Muslim leadership too needs to take a long and hard look at itself. With all its obvious limitations India's record in treating its minorities is not at all bad, especially in the light of the trauma of the Partition. For their part the minorities, including the Muslims, have fought in India's wars with Pakistan, immensely enriched Indian cultural life, have been generally peaceful and law-abiding, and have shown their commitment to the country. Many of them feel economically trapped, socially vulnerable, culturally confused, religiously manipulated by their clerics and Imams, and disowned by their professionals. They very much want to be part of India's great democratic and secular experiment, but also feel rightly attached to their history and culture, and do not know how to reconcile the two.

Their current cultural and political leadership is wholly out of touch with their deepest aspirations and agonies, and compensates for its incompetence and immaturity by arousing and exploiting false fears and hopes. It is about time the talented minds within the Muslim community developed a coherent vision of their place in India and provided an imaginative, skilful and open-minded leadership.

Even if these and other measures were taken, and only a naïve optimist thinks that they will be, communal violence would remain a constant threat as long as Hindu chauvinism continues to flourish. Many in Gujarat and indeed in the rest of India have increasingly come to think of the country in narrow Hindu terms. India, they say, 'essentially' or 'primarily' belongs to Hindus, defined culturally to refer to those who among other things, see the country as their pitrubhumi and punyabhumi. This is an incoherent and misguided view. The internally self-contradictory Hindutva ideology alienates not only our minorities but also a large majority of Hindus, and cannot be the basis of India's identity. The BJP cannot be both 'Bharatiya' and committed to Hindutva.

India's national identity needs to be so defined that all Indians, irrespective of their cultural, ethnic, religious and other differences can enthusiastically identify with it, own it with pride and build up on its basis a common sense of national belonging. It must, therefore, be defined in political terms, not cultural or religious. What all Indians share in common is their commitment to the political community of which they are all equal citizens and to which they are bound by the ties of loyalty. We need an overarching notion, not of Hindutva but of Bharatiyata, one that affirms and cherishes our rich cultural and religious diversity and embeds it in those public values, sensibilities and institutions that we all do or should share in common.

This great political project requires a historically sensitive imagination, a culturally attuned intelligence, and a shrewd sense of political possibilities. Sadly, none of these qualities is much in evidence, either among the fanatical BJP ideologues who are busy destroying the country they claim to love, or among their simple-minded secular opponents whose thinking has advanced little since Nehru's death.[2]

NOTES

1. These figures are to be found in Ashutosh Varshney's *Ethnic Conflict and Civic Life: Hindus and Muslims in India*, Yale University Press, 2002. Although his general thesis that strong associational forms of civic engagement are a crucial variable in explaining communal conflict is insightful, it is problematic in important respects. Following Robert Putnam, it concentrates too heavily on civil society and ignores the powerful impact of wider political and cultural forces. It does not explain why strong associational forms spring up in some cities or states and not others, nor why they regulate violence in the same city at one point in time but not at another. And it takes little account of the great differences between the internal composition, historical memories, and dynamics of the 'same' community in different parts of the country.
2. I am most grateful to my good friends Raojibhai Patel, Vinod Kothari, Thomas Pantham and Jayshree Mehta for their most helpful comments on this article.

Seminar, 3 May 2002

GUJARAT AND ITS BHASMITA

MEGHNAD DESAI

The renowned Gujarati author and politician K.M. Munshi wrote a classic novel, *Gujarat No Nath*. In the novel there is an episode of Muslim houses being set on fire in Khambhat, the fief of the villainous Uda Mehta. Kaak the hero rescues a Muslim called Khatib. Munshi adds that Kaak insists on calling him Khatip, exercising the age-old privilege of the powerful to distort the names of the downtrodden. Khatib is produced at the court of Raja Siddharaj at a crucial moment and Uda Mehta's atrocities are exposed. Having served his purpose Khatib disappears from the narrative. It is the perennial fate of the weak to be a pawn in the power struggle of the elite.

I doubt if anyone would write such a story today. Surely for present day Gujaratis, Uda Mehta is a hero for burning Muslim houses and Kaak a secularist villain. Even Munshi who became a leader of Hindu revivalism, started Bharatiya Vidya Bhavan, sponsored a Hindu nationalist multi-volume history of India, and helped rebuild the Somnath temple would not have endorsed Kaak's conduct were he around today. Yet he wrote, *I Follow the Mahatma*. The other political hero of Gujarat, Sardar Patel, despite his staunch role in the independence movement, has now been appropriated by the BJP and projected as a hardline alternative on Pakistan and Kashmir to the soft secularist Nehru. Yet I doubt the Sardar Patel, though on the right wing of the Congress, was in any sense a Hindu fundamentalist. Yet that is the way he is celebrated today. Is Gandhi himself being disowned now for his tolerance?

Gujarat has redefined itself from a peace-loving tolerant place full of civility into an aggressive assertive Hindu domain. This has been the result of a steady and assiduous *Kulturkampf* fought by the Jan Sangh/BJP through the 1980s and the 1990s. On my periodic visits to India during those days, I found good, gentle, middle class Gujaratis, prosperous not poor, steadily turning anti-Muslim. One of my great nieces shocked me when she said, apropos of Dilip Kumar, 'He is a Muslim; he should not get any film roles.' I had never thought of Dilip Kumar as anything but Dilip Kumar and while everyone knew he was Yusuf Khan no one thought of him as other than Indian till the poison began to spread in the 1980s.

There is a parallel story of the rise of Muslim fundamentalism. After the oil crisis of 1973 the suddenly enriched Saudi Arabia strove to reverse all the modernising tendencies in Islam and wound the clock back to medieval Wahabbism. The Iranian Revolution that followed in 1979 added fuel to the fire. The moral collapse of the Government of India over Salman Rushdie's *Satanic Verses* showed that secularism had come to mean equal license for both fundamentalisms. Afghanistan with its Taliban revolution did not help matters either. Its anti-Americanism was the fig leaf for masking fundamentalism, which was both anti-women and anti-modernity.

But even before all that, Amadavad had riots in 1969 and as Ashutosh Varshney argues in his new book, *Ethnic Conflict and Civic Life*, it is one of the most riot-prone cities in India. Along with Vadodara, it accounts for 80% of the deaths from communal riots in the state. While other states have endemic communalism, Gujarat suffers from episodic or discontinuous communalism. Riots are occasional but when they occur they are extremely vicious. But even so we have to ask, why does Gujarat display this behaviour pattern?

Ashutosh Varshney traces the erosion of civic institutions such as political parties, trade unions and business associations in Gujarat as the proximate cause. The Congress declined relative to the BJP, the textile industry also declined, and so did the unions. Thus civic networks where Hindus and Muslims worked together became weak. I would add to this analysis a few more elements. Democracy, which we much celebrate, has not been good for communal relations. This is because competitive politics has crystallised communities by treating them as vote banks.

Thus Muslims are a vote bank and as a matter of practice religious leaders become the gatekeepers of the vote bank. Among Hindus, different castes are vote banks – Patidars as against Kshatriyas, dalits against the other backward castes, and so on. Thus far from democracy making India free of caste and communal divisions, as the people of Nehru's generation hoped, all these divisions have been valorised by competitive electoral politics. Far from becoming a republic of citizens, India has become an archipelago of communities.

Alongside we have experienced a relatively slow economic growth rate, an overwhelming weight of the public sector for jobs and patronage, and the deliberate growth of crime by the maintenance of state interventions such as prohibition and import controls or tariffs. Crime depends on politics and feeds on it. Politics needs criminals for money and muscle. If you want a job or a contract,

you have to show your community/vote bank identity and you have to channel your demand through political agents who look after your community. There is no neutral public space left where citizens qua citizens can have redress for their grievances or satisfy their demand for publicly provided goods and services. The army and the judiciary are the only two institutions left that have not been thoroughly politicised.

Yet this is an all India story. Gujarat remains an exception in its sudden bursts of extreme violence. Again one can only speculate. In the civility for which Gujaratis were known, religion, especially Vaishnavism and Jainism, played a large part. Gujarat could be said to have had its bourgeois revolution sometime in the early twentieth century. The business classes became dominant socially relative to Brahmans or Patidars. These business classes were Jain or Vaishnava and were largely mild, non-coercive, albeit exploitative, capitalists. Yet that was before Independence. Subsequent to the formation of the Gujarat state, politicians emerged as an elite group competing with the businessmen and indeed more powerful than them, thanks to 'socialist' economic policies. So the importance of this class has diminished. Other groups emerged – Patidars first and then other caste groups.

But over the years Gujarat has also prospered faster than many other Indian states. In the last ten or fifteen years, a lot of accumulation has taken place, by bursting through regulations and breaking laws. Defiance of rules and laws has marked this new prosperity. At the same time religion has increasingly become more of a consumable good which has to be flaunted with expensive rituals than a code for civic behaviour. Readings of the *Bhagvad Gita* or *Ramayana* have become festivals of conspicuous consumption. Instead of Vaishnavite pacifism we have Bajrang aggression.

Thus Gujaratis have turned from being meek and mild and proverbially passive to being macho and aggressive. This was indeed how K.M. Munshi fantasised Gujarat to be. That bit about Khatib may have been there to bolster his image as a Gandhian. It is now best forgotten.

NOTE

There is of course no such word as bhasmita, but *bhasma* is ashes and *asmita* is self-image. The connection should then be obvious.

Seminar, 3 May 2002

GUJARAT COVER-UP

Justice still light years away

KINGSHUK NAG

When the collector and superintendent of police of Gujarat's Panchmahal district – that covers Godhra – were transferred recently, there seemed nothing unusual about the orders, their names forming part of the long list of officers being reshuffled. But those aware of the goings on in Gandhinagar did not take long to realise that Bhupendra Sinh Solanki had been successful in his efforts. Mr Solanki, the Lok Sabha member from the area had been spotted in the Sachivalaya, a few days earlier, seeking actively the transfer of the officer duo – collector Jayanthi Ravi and SP Raju Bhargav because they had put 400 of his partymen behind the bars for rioting and applied such sections of the IPC that the judges would just not grant bail for. Mr Solanki was himself under pressure, the local unit of his party having observed a bandh to protest the arrests. Now with new officers in place there is no guarantee that they will also take a similar tough line.

All over Gujarat, as an uneasy calm prevails, the due process of law is being subverted in these and other indirect ways. Consequently, justice for the victims of the mindless violence seems light years away, that is if justice is ever done. Take the chargesheets filed by the police in the two most gruesome incidents, that of Gulberg Society where former MP, Ehsan Jafri along with 38 others were burnt to death and Naroda Patia where 83 people were killed. The chargesheet in both the cases virtually begins with a defence of the accused and paints the victims as instigators. 'It was after the firing by Jafri on members of the mob (of 20,000) that the mob got violent and attacked the locality', says the chargesheet in the Gulberg case. Apart from the fact that it is doubtful whether Jafri fired at all should one assume that such a huge and unruly mob had collected near the former MP's house just for the heck of it?

The unruly crowd at Naroda Patia went on the rampage after a mini-truck driven by a Muslim ran over a Hindu youth and the mutilated body of a Hindu was recovered from the area, says the chargesheet in that case. The crowd was 'anguished by the incidents', according to the chargesheet.

'In my long career in the profession I have not seen such chargesheets that show the way to the defence counsel about what line they could possibly take', says A.P. Ravani, former chief justice of the Rajasthan high court. Needless to add, even in spite of filing chargesheets partial to the accused, the police have omitted the names of prominent persons included in the first information reports (FIRs). The line of argument advanced by the police is that there is no documentary evidence against them. This means that the police has ignored the tenets of criminal law that is based primarily on the evidence of witnesses.

In the Best Bakery case in Vadodara where 12 persons were killed by a mob of 1,000 people, the police has done one better. They have booked one Muslim, Yasin Alibhai Khokhar, among others and charged him with murder, robbery and arson. The Vadodara police commissioner says that Yasin has been booked on the testimony of a Muslim girl, but is nonplussed when told that nobody is likely to buy this.

That the Gujarat government is not keen to secure speedy justice is apparent from the constant refusal to heed the recommendations of the National Human Rights Commission (NHRC), one being that special courts be set up to try select cases of carnage. The backlog in the existing courts being so high, there is little likelihood of cases like Naroda Patia coming up for trial before another three years. The chargesheets have been filed before the metropolitan magistrates who after looking into them will commit them to the sessions courts. The NHRC had suggested that the special courts with no other business could expedite matters by holding daily hearings; trial courts dealing with many cases would not be able to do this. How delayed the proceedings of trial courts can be is illustrated by the fact that the cases from the 1985 communal riots in Ahmedabad are still being fought. The trial in one case involving a Union minister, Harin Pathak and a Gujarat minister, Ashok Bhatt, is yet to commence. But the two, after being kept out of ministership for a year, have been reinducted into the government.

It is also significant that even though chargesheets have been filed in some cases, investigations are not yet complete. Naroda Patia, Gulberg Society and even Godhra falls in this category. Under pressure to show results, the police has also been indiscriminately picking up people.

To expedite the inquiry into Godhra and subsequent events, the

Gujarat government has set up a two-member commission consisting of two retired judges. One of the members is a retired Supreme Court judge, G.T. Nanavaty and the day after he was appointed to the commission, the morning papers carried news of the testimony of Narasimha Rao before him. Yes, Justice Nanavaty also heads the commission inquiring into the anti-Sikh riots in Delhi in 1984, which is still to wrap up its operations. That is certainly an indicator of the shape of things to come in Gujarat.

The Times of India, 29 July 2002

THE GUJARAT GENOCIDE

A sociological appraisal

UDAY MEHTA

Communal disturbances are nothing to Gujarat. It has had a history of communal riots from the eighteenth century. In the post-Independence period, according to official figures, there were as many as 2938 instances of communal violence in Gujarat between 1960 and 1969. Some of them, in Saurashtra and Kutch, were actually major disturbances. Some religious leaders and Jan Sanghis, as indicated by Professor Ghanshyam Shah, formed the Hindu Dharma Raksha Samiti (Committee to defend the Hindu religion). In Ahmedabad in 1968 the committee played a very important role in generating anti-Muslim feelings in the city before the 1969 communal riots. A procession was organised in which slogans like 'Protect Hindu Dharma' and 'Let the irreligious perish' were shouted. The tension between the two communities culminated in the large-scale communal riots in September-October 1969 which also spread to other cities. The Jan Sangh and RSS workers were actively involved in the riots either provoking the people, taking the initiative in leading mobs, or simply providing money or material to the rioters. As Professor Shah points out, the Congress, which was in power, not only failed to control the riots, but its leaders also had absorbed the communal outlook to a great extent. They not only shared anti-Muslim attitudes with the Jan Sangh, but also participated directly or indirectly in the strife, thereby helping this

party to expand its support base in urban areas.[1]

In his investigative report of the 1969 riots, Ajit Bhattacharya observed that the police failed to take firm action for the first three days, and that this was not a matter of slackness but policy. To his question about what made the government so reluctant to use force, a senior Congress leader responded that the ruling party was afraid of losing power to the Jan Sangh in the next elections if the government had come down hard on the rioters early on.[2]

Achyut Yagnik marks the 1969 communal riots as the turning point, as many secular Gujaratis metamorphosed into religious chauvinists. Civil society, literature and education in the state systematically adopted an 'us *vs.* them' discourse. The post-1969 generation of Gujaratis has been raised on this communal doctrine. This is responsible for the perceptible drop in tolerance levels towards the minorities which was evident during the 1992–93 riots and the recent mayhem.[3]

Inter-caste and inter-community stereotypes are common in practically all societies. The process of hardening of stereotypes, as Professor Shah indicates, began with discourse on religious centred nationalism. What we are witnessing now is its ugly face. This has been intelligently built up in Gujarat since the 1965 Indo-Pak war on the Kutch border. It was coupled with the gau-raksha (i.e., anticow-slaughter) campaign. The first major planned large-scale communal riots followed. Since then the fear psychosis and sense of injustice among the majority community has been constantly whipped up. The myth that Muslims are favoured by the state has been systematically articulated and spread. Time and again Muslims have been branded as anti-national, fundamentalist, conservative, backward and so on. Hindus are reminded that they are apostles (upasak) of shakti, the worshippers of Maha Shakti with the weapons Trishul (trident) as in the hands of Shiva, Sudarshan Chakra (discus) in the hands of Krishna, bow and arrow in the hands of Ram. Hindus are cajoled to take arms against enemies.[4] They are reminded that weakness, timidity and unmanliness are great sins, and bravery and masculinity are great virtues. Such interpretations of Hinduism have been systematically spread through informal conversation, rumours, public lectures, children's comic books, printed and audio-visual media by all units of the Sangh Parivar. Newspapers and journals, kathas of the religious saints, booklets and other forms of popular literature orchestrated the same message. Violence in the present riots has been publicly applauded by VHP

leaders. The Kargil war, the September 11 holocaust in the US and the December attack on the Indian Parliament, frequent terrorist acts in Jammu and Kashmir and the constant live bombs of Ram Janmabhoomi add fuel to fire. A carnage like that at Godhra inflames passions. During the last seven years the state has patronised and institutionalised anti-minority activities by the Sangh Parivar.[5]

As per the official estimate, the total number of people killed in the recent communal holocaust is around 800, with Ahmedabad topping the list with over 400 killed, followed by Mehsana (more than 50) and Godhra almost 100 inclusive of the Godhra train victims. Officially 14 districts of Gujarat (out of a total of 25) have been affected. But a closer perusal of the statistics and events would reveal that the main affected areas are central and north Gujarat and the northeastern tribal belt. Although Bhavnagar (where towards the end of April communal trouble has erupted again) Junagadh and Rajkot cities and a few villages in Saurashtra were affected, by and large Saurashtra and Kutch remained relatively peaceful. Similarly, the tribal areas of south Gujarat from the river Narmada to Dangs were trouble-free, though earlier in the 1998–1999 disturbances, these were prime areas where Christian-run institutions were attacked by institutions controlled by the VHP.

By the end of April 2002, it is estimated that over 1,40,000 riot victims were in relief camps of which around 75,000 were in Ahmedabad. The rest are scattered in make-shift camps in towns and villages of Sabarkantha, Mehsana, Panchmahals and Anand districts. Most camps are in a pathetic state with totally unhygienic conditions and inadequate rations and medicines. A fear psychosis has gripped the people in the camps and most of the Muslims are too scared to return to their own areas or villages. No concrete steps were even visualized with regard to their physical rehabilitation or giving them compensation. Filing FIRs for them also appears to be a sham exercise, and lawyers showing an interest in taking their cases were threatened and unable to appear in the courts.[6]

The worst feature of the present genocide has been the most brutal and perverse attacks on women and children. As *The Times of India* editorially commented, 'the recent pogrom in Gujarat was by all accounts unprecedented in its savagery towards women and small children. The deliberate and viciously planned strategy began with rumours, floated by vested interests, about attacks on Hindu women after Godhra. Independent investigators and indeed the police, found no substance in these rumours, but by then the mes-

sages from sectarian, communal organisations had gone out loud and clear. Don't spare women and children this time around. And the mobs spared no one. Their handiwork is recorded in chilling detail in the women's panel report. The women's testimony is perhaps the most devastating and damning account of brutality in any riot in independent India. However, the inaction of the police and the administration speaks for itself. Few FIRs have been filed despite many victims actually naming the culprits. Then there were the cumbersome legal proceedings. Normally, a medical examination is required within 24 hours to ascertain rape. But in these extraordinary times, when women victims could not seek aid, such examination became impossible. Testimonies of those affected have to be taken as the basis for initiating legal action against the accused. But this is jumping the gun. Many of the women in the camps, some of them barely teenagers, are too traumatized to recount the horrors they have suffered. They urgently need counselling and medical attention, and above all, assurance of protection from their attackers. Yet, in much of the reporting of these riots, women have remained largely invisible.[7]

Deeper roots of the Sangh Parivar success in Gujarat

Despite the inner contradictions in the Sangh Parivar's policies and perspective, and rampant corruption in the BJP government in Gujarat, it has succeeded in its drive to communalise Gujarati society and build up a climate of intolerance and irrationality which hardly leaves any room for dialogue or dissent in civil society. The Sangh Parivar has succeeded in making deep inroads into all social, cultural, educational, administrative, judicial, police and economic and political structures in the state. This success of the Sangh Parivar, which becomes more evident during communal disturbances, needs deeper analysis. Various social-economic, subjective as well as objective factors have helped in accelerating this process. In a short essay it is not possible to examine them at greater length. We shall attempt to pinpoint broad indicators that may help in understanding the present scenario in Gujarat.

Socio-economic transformation and Hindutva

In his exhaustive appraisal of the Surat riots of 1992, Irfan Engineer indicates that the propaganda of the BJP has communalised young people in Surat especially those of the Machhi, Kharva, Rana

and Ghanchi (traditionally OBC) communities. They used to be strong supporters of the Congress but have now moved away from it. These communities have prospered in recent years, and are looking for new power equations and broader identities. They are shedding their old customs and traditional deities, and have begun adopting the customs of the upper castes. The BJP has successfully responded to their aspirations by giving them a broader identity through its Hindutva campaign. Also its propaganda has given this identity a nationalistic and patriotic colour. The desire for a broader identity and subsequent communalisation in these communities was preceded by a reform movement among them to give up certain rituals. Education is also on the rise among them. Simultaneously their economic base has widened as they have moved into new areas, instead of confining themselves to their original professions. They are also looking for a wider political role for themselves. While the old political equations and arrangements in the Congress provided them with only limited opportunities, the BJP as a rising force is providing them new opportunities and greater participation.[8]

Communal disturbances in Gujarat have to be viewed also in the context of the shift in the pattern of economic development, particularly over the last two decades. As suggested by Shreekant Sambrani, Gujarat today is a far cry from the days of Gandhi, Patel and Kasturbhai Lalbhai. The industrial achievements of the state till the 1980s were largely due to the tradition of abstemiousness and thrift. The state governments were compact and business-like, leaving the day-to-day administration in the capable hands of civil servants. In keeping with the changed ethos of the country Gujarat too has succumbed to the obsession to get rich quick and enjoy the riches even before they materialise. Heirs to famed fortunes pursued hare-brained diversification and expansion programmes with borrowed money or, worse still, with the funds of gullible shareholders, and managed to show some attractive results through adroit juggling of figures, until their schemes came a cropper. New entrepreneurs kept the local stock exchanges ringing with a new issue a day. Needless to say, these companies and their investors' money have both quickly vanished, but not the scam masters. They keep resurfacing with different schemes, evading prosecution and punishment with evident ease. This phenomenon has also occurred elsewhere in the country, but nowhere else was it as widespread and pervasive as in Gujarat. Thus, the line between right and

wrong, never very clear in India, becomes even fuzzier in Gujarat. Harshad Mehta and Ketan Parekh continued to be household heroes long after their misdeeds were exposed and bubbles burst. The old protestant creed (Jain work ethic) which once characterised Gujarat gave way to the 'chalse' attitude.

The descent into such anarchistic amorality was rapid. The gentle Gujarati became increasingly arrogant, volatile and aggressive.

Thus, as the same author argues, mobs incited by the Godhra news and equipped with convenient targets were beyond the control of the police. Similarly, herds of well-off citizens gleefully making away with looted goods did not seem to faze anyone. After all, in their own way, they were doing exactly what the bear and bull operators of the stock markets were up to, day in and day out.[9]

Inroads of the NRI

The role of a section of the NRIs from Gujarat, settled abroad, in strengthening and consolidating the Sangh Parivar and promoting the Modi government, cannot be over-stressed. Large sections of Gujaratis, particularly from the Patel community, migrated abroad in the seventies. Their native entrepreneurial skill helped them to flourish. As suggested by Rajiv Desai, over the last two decades and more, they became a source of repatriated funds and extreme ideologies for their kinfolk back home. This created a money-order middle class, rootless and mean-spirited, sustained by monetary infusions from New York and New Jersey, Leicester and Leeds. These newly emergent groups are non-commissioned officers in the caste and religious conflicts that have regularly paralysed the states. Professional rabble-rousers, these groups formed the primordial soup from which Narendra Modi and his marauding minions surfaced to hold the state to ransom.

Given the influence of these small, visible, wealthy but culturally barren groups that form the money-order middle class, the emergence of Modi was a foregone conclusion.[10]

The role of the media

Along with the state and police, the two major Gujarati media, *Sandesh* and *Gujarat Samachar*, played a leading role in the further spread of and aggravation of the communal disturbances. Provocative presentation of the Godhra events and repeated display of burnt compartments, flashing baseless news about two Hindu girls being

brutally raped and their breasts brutally removed by the Muslim mob, projection of the Godhra events as a Pakistani conspiracy, and presenting the massive destruction of the Muslims' property and their killing as a appropriate response to the Godhra killing, contributed in no small way towards aggravating and perpetuating the riots.

Apart from this, the papers magnified riots, and portrayed them as a civil war between the two communities, totally ignoring the unequal battle, where Muslims were killed and uprooted in large numbers, from several urban, rural and tribal areas in Gujarat, and highlighted fictitious figures of Hindus being displaced in thousands from Ahmedabad and the surrounding areas. *Gujarat Samachar* Sunday supplements contained articles throwing venom against the secular, liberal sections of the public in Gujarat and elsewhere, abusing them as pseudo-secularist, indifferent to the plight and injustice suffered by Hindus in Jammu and Kashmir and elsewhere, showing them as guilty of appeasing the minorities, and even dubbing them anti-national. It would be difficult to make a distinction between the views expressed in the Sangh Parivar journals and these newspapers. All strata of Gujarat, inclusive of elites, professionals, lower and higher middle class, and shopkeepers have been more or less addicted to reading these newspapers. It is no wonder that the circulation of the *Gujarat Samachar* increased by 50,000 during March 2002. Its total circulation is over 8,00,000 and it is equally popular and widely read by Gujaratis even in Bombay.

The Gujarati media, as a matter of fact, articulates and further reinforces communal animosities in Gujarat and serves the establishment and thrives on state patronage. Local TV channels in Gujarat, too, were instrumental in aggravating communal tension and hostilities by broadcasting pictures and news items that would project the minorities in an unfavourable light.

Human rights violations in Gujarat

We strongly feel that the insensitivity, indifference and intolerance so extensively found in Gujarat civil society have to be viewed in the context of the overwhelming violation of human rights in the state for over three decades. It is not surprising to learn that Gujarat was foremost in arresting maximum number of people under TADA under the pretext of political dissent and there were hardly any convictions in such cases.

Anti-Labour practices

Gujarat is also notorious for its anti-labour practices and violation of all labour-protective and labour security legislation. Surat is a classic case, like Bhiwandi in Mumbai. Small-scale units find it very difficult to organise themselves. Labour laws are ignored with impunity by owners of units and the workers have little legal protection and security for their jobs.

The main employers of migrant labour are industries like art silk and powerloom units, dyeing mills and the diamond industry. Workers work 12 to 14 hours a day. Women employed in spinning and warping units are paid much less than men. Complaints of sexual exploitation are quite common. Child labour is also employed in different departments of the art silk industry. Workers are often even beaten up by employers for a small mistake.

Workers can be thrown out at will, without being paid any compensation. They have no proof of their employment. Even a single day's absence by a worker, due to sickness or any other emergency, can lead to abrupt termination of services. Severe working conditions call for only young workers. Employers do not permit any union activities.

Migrant workers live in miserable living conditions. They constitute more than half the population of Surat city. Living conditions are so horrible that most of them only keep their belongings in the houses, and live and sleep outside.

The growth of industries in Surat has been haphazard, as brought out by Irfan Engineer; unlicensed and unregistered units abound. Labour laws are unheard of, and workers are paid on the basis of production. All means are employed to squeeze out the maximum labour from the workers; they are paid extremely low wages. There is no security of work.

The lumpen entrepreneurs of the city want quick returns by any means fair or foul. In search of super profits, lumpen capital organises large-scale evasion of octroi, excise and sales tax. This is so common that hardly anybody bothers about it. There are organised gangs with sufficient muscle power, and powerful connections to help in the evasion of octroi for a price. These gangs earn lakhs of rupees daily from octroi evasion alone. The super profit of lumpen capital further thrives on thefts of electricity.

The lumpenised capital needs organised muscle-power and criminals for its immoral and unregulated growth. The crime rate in

Surat, not surprisingly, is very high. Of late, the city had begun to attract the attention even of Dawood Ibrahim. The Latif gang from Ahmedabad is known for its hold over the city through its liquor distribution networks, despite prohibition. There are other gangs also, notorious for dacoity and thefts. In Surat, extortion, blackmail, protection money rackets, thefts, rapes, 'eve-teasing', tackling the agitating workers in the exploitative informal and unorganised sector, the liquor trade and organised evasion of octroi or sales tax are common activities which yield high returns.

The growing power of criminals in politics is also influencing the leadership of parties like the Congress and the BJP. The old leadership, which was not dependent on criminals, is being pushed out. They are being replaced by the new breed of politicians with direct and strong link with criminals. The Congress and BJP both have strong underworld connections. Guns and arms are readily available in Surat. There are fake licence rackets in which several politicians, criminals, and builders are involved.[11]

Surat is no exception. Gujarat has acquired a distinction for brutal exploitation of labour, violation of human rights, atrocities on dalits, intolerance of dissent, and persecution of minorities. Some time back the Sangh Parivar organised attacks on Christian institutions in tribal areas.

Thus, the roots of the present genocide of Muslims, the execution of the fascist pogrom by the VHP and Bajrang Dal, should be traced to what Dr A.R. Desai suggests is expanding governmental lawlessness. Prof. Upendra Baxi actually elaborates this very significant aspect of the Indian reality, which is far more relevant in the case of the government in Gujarat. He distinguishes governmental lawlessness from the state's weak commitment to the rule of values in the following manner: The state's weak commitment to the rule of values (for values of substantive justice) is one aspect of the problem. The other is the state's own inability or unwillingness to obey its own rules. The latter may well be called government lawlessness. Government lawlessness thus implies non-adherence to duties imposed by law on the government in general or on any agency of the government.

As Dr Desai argues on the basis of his studies of the development that is taking place in India, by the state pursuing the capitalist path of development, that governmental lawlessness has acquired such bizarre proportions that it is increasingly becoming difficult for ordinary citizens to exercise even their limited rights

which are given to them by law.[12]

Thus the violation of democratic rights on a massive scale, and the active connivance of the state in the evasion of its own laws, have created conditions quite conducive for launching the fascist pogrom of the Sangh Parivar. Hence the success of the Sangh Parivar in building up an atmosphere of communal hatred, and its ability to trap large sections of Gujarat society in its spread of canards against minorities and the liberal, secular strata of society, have to be viewed in the context of the active involvement of the state apparatus and numerous cultural and social institutions sponsored by the state in such pursuits.

Absence of a radical, progressive movement

Another very important factor that has contributed to such a strong hold by the Sangh Parivar is the almost total absence of progressive, liberal, secular traditions and movements in Gujarat. Barring a short period during the freedom movement which witnessed the emergence of some radical poets and writers, Gujarat has not seen any radical movements of the oppressed such as that of Jyotiba Phule or the dalit movement under Dr Ambedkar in Maharashtra or the OBC movement in south India. The left movement has remained very weak, barring the socialists who emerged as a small challenge to the Congress leadership especially in Saurashtra where they developed a strong influence in some towns like Mahuva and Savarkundla. But that proved to be a short-lived phenomenon. With the merger of the socialist party under Ashok Mehta's leadership in the Congress, this influence also withered away. The Communists never posed any serious threat to the Congress or BJP. In the entire electoral history of Gujarat, the Communist party could win only one assembly seat in the sixties. Thus, the near absence of any progressive, left, secular or even dalit, OBC or tribal movement has facilitated the rise and consolidation of he Sangh Parivar's ideological, cultural and political hold in Gujarati society. Congress also could not provide any serious challenge, because of its weak, divided leadership, and after capitulating to the temptation to use the communal card whenever it suited its interests.

Growing economic crisis

The impact of a deepening recessionary trend in Indian economy and specifically in Gujarat (where the earlier boom has disap-

peared) on communal disturbances cannot be over-stressed. As K. Nag remarks, with pressures on agriculture both Ahmedabad and Vadodara have seen large scale migration from outlying rural areas in recent years. Vadodara, which was on a par with cities like Pune and Bangalore in the early seventies, is now the picture of a stagnating city. All the large central public sector units of companies like Indianoil and IPCL survive, but many of them are in a bad shape. Ancillary units in nearby industrial estates are closing down. All this means that no new jobs have been created to absorb the migrants or even the new generation of locals. After the decline of the textile industry, Ahmedabad, which was once called the Manchester of the east, has been left bereft of any substantial manufacturing activity.

Apart from this gloomy scenario, the size of the unorganised industries like the diamond industry, polishing units and powerlooms in the city is too small to absorb all the manpower available. Neither have retailing or construction activities of any substantial size been spawned in Ahmedabad. All this has given rise to a class of young, unemployed persons in the two cities. Full of energy and without any work to do, many of these young persons have fallen prey to the ideology of hate spread by certain political formations and without any thought have participated in the dance of death seen recently on the streets of Ahmedabad and Vadodara.[13]

Apart from its economic woes, the emergence of Gujarat in recent years as a major dumping ground for arms and drug smuggling, and the resultant growth of criminal activities, has in no small way helped in aggravating the present communal carnage. Iqbal Ansari has shown considerable apprehension about the possible outcome of the partisan role of the police and the immunity enjoyed by those responsible for communal massacres. This has caused frustration among sections of victim groups who in desperation tend to take recourse to terrorist methods, as indicated by Justice Srikrishna in the Mumbai Serial Blast Case in March 1993.[14]

We would like to conclude this essay with the observation made by Julio Ribeiro based on his long and wide experience of dealing with disturbed situations and the problem of terrorism in Mumbai and Punjab. He opines that the Muslim community 'needs to modernize, to liberate their women from the veil, to fight illiteracy and then poverty in that order, because one leads to the other, and that their education should extend beyond religious matters to the more mundane for their economic advancement, but these shortcomings

and problems cannot be solved by killing them in the manner that the poor and the helpless were dispatched in Ahmedabad. Terrorism cannot be fought by similar tactics, nor can the killing of non-combatants ever succeed in subjugating an entire community. In recorded history the experience has always been the opposite. What I worry about most is that the communal poison has spread so deep in the hearts and minds of the Hindu middle class that it will have to be extracted by super-human efforts before we can hope to re-establish any semblance of communal unity.'[15]

NOTES

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IV. EDITORIALS

WORRYING POINTER

The attack on the Sabarmati Express by unidentified persons, which has left at lest 57 people dead and many injured, must be strongly condemned. The train was coming from Faizabad via Ayodhya, when it was attacked at Godhra railway station in Gujarat. According to reports, the train was carrying some 3,000 kar sevaks, who were travelling from Ayodhya to Ahmedabad after taking part in the *Puranahuti* programme of the Vishwa Hindu Parishad (VHP) on February 24. Details are still sketchy. But it does appear that country-made petrol and acid bombs were used. The miscreants are said to have set ablaze at least four bogies. Senior officials have admitted that the situation is volatile – angry and violent mobs are said to have gathered at the scene of the attack. Counter-violence has claimed two lives so far.

The violent incident at Godhra is a worrying signal of the kind of bloody confrontations that are likely to erupt in the coming days. The VHP has set March 15 as deadline after which it has announced that it will press ahead with its plans to rebuild a temple at the disputed site in Ayodhya. The confrontationist and rigid posture it has adopted on the issue and the hostile rhetoric it has articulated especially in recent weeks have triggered off anger and created insecurity across the country. The killings at Godhra took place against this background. While nothing can justify the brutal killings, it is a fact that inciting tension and communal passions provides conditions that are conducive for violence and counter-violence. There is a possibility that the prevailing uncertainty will be exploited by vested interests to trigger off more violence. These sections will seek to deepen the communal divide and to polarise

society. They will use violence and rumour to achieve their goals, and their designs must be thwarted by the authorities and society at large. To this end, a fair investigation must be carried out. Simultaneously, action must be taken against those who are inciting and organising sections of the community to resort to violence to achieve their goals. Every attempt must be made to ensure that action is taken against anyone who is seeking to undermine the secular democratic principles of this country, irrespective of his caste, class, religion or political affiliations. The BJP government in Gujarat has promised to improve security but stepping up deployment of police forces is not enough. It must ensure that these forces act in a non-partisan manner. A critical period lies ahead. The NDA government needs to do more to convince the country that it will protect the principles of the Indian Constitution.

Deccan Herald, 28 February 2002

CHECK THE INSANITY

The portents are ominous, as the outbreak of violence in Gujarat has shown. While the government at the Centre, demoralised by the UP verdict, sat twiddling its thumbs, its fraternal allies in the Sangh Parivar seem to have succeeded in their objective of lighting the communal fuse. A number of innocent people have already died and more may suffer if the Centre, even now, doesn't step in to stop the insanity unleashed by the VHP. Right from the time when this outfit of Hindu fanatics announced its provocative plan to begin the construction of the temple in Ayodhya, it was known that trouble was brewing. But the BJP at the Centre, perhaps hoping that the VHP's belligerence will consolidate the Hindu vote behind it, did nothing more than mouth pious platitudes. There was no deviation from this pointless routine even at the all-party meeting, where the ritual pronouncements of adhering to the judicial verdict or settling the dispute through negotiations were reiterated.

Such advice is meant for those who are prepared to listen to reason. But outfits like the VHP and the Bajrang Dal have always made it abundantly clear that they care two hoots for the law of the land and thrive on spreading the communal poison. To allow

them, therefore, to mobilise hundreds of people in the vicinity of Ayodhya with the avowed intention of building the temple was tantamount to playing with fire. As a member of the same saffron brotherhood, the BJP leaders should have been aware of the extent to which these bigots can go. What is more, the shocking events of December 6, 1992, should have forewarned them against allowing such a gathering while the example of L.K. Advani's 1990 rath yatra should have shown how violence can erupt along the route travelled by the so-called kar sevaks.

Now the worst that was feared has happened in Gujarat. The communal conflagration can spread like wild fire unless preventive arrests are immediately made and the government makes it absolutely clear that it will crack down on the miscreants wherever they create trouble. If ever the POTO needed to be used, it is against these 'terrorists' who have openly hurled defiance at the law of the land.

Hindustan Times, 28 February 2002

BLOOD MONEY

Red is the colour of blood. It is also the colour of bankruptcy. And the map of Gujarat is today, unfortunately, liberally swathed in red. The economic loss due to the riots that rocked the state has officially been put at Rs 600 crore. But industry associations say the figure is more like Rs 2,000 crore – and that's not counting the direct cost of the damage inflicted by the rioters. One association has estimated trade losses at about Rs 1,500 crore and a setback of about Rs 600 crore to industry, with small business losing another Rs 100 crore. A senior official of another chamber has pointed out that the Gujarat government's estimates are restricted to the shutting down of industrial production for a few days in the immediate aftermath of the Godhra attack. But the state authorities have not factored in the impact on the service and agriculture sectors, or the opportunity cost of goods just lying around with nowhere to go, following the breakdown of transport facilities. However, even the figures tabulated by industry chambers may be just the tip of the iceberg. Reports indicate an exodus from the state of its most precious resource – human capital – with more than three lakh textile

workers said to have migrated from Surat alone. And how does one quantify what the full horror of the Gujarat carnage may have done to consumer and investor sentiment? Wipro chairman Azim Premji, in Ahmedabad recently for the convocation ceremony of the premier Indian Institute of Management, minced no words about the after-effects of the riots. Gujarat's image had been severely tarnished, he warned, and risk-averse investors were likely to shun the state.

Mr Premji was also scathing about Gujarat's lack of preparedness with regard to information technology – in stark contrast to other states, whose governments have been aggressively marketing themselves and fulfilling their promises. But then, Gujarat's dismal performance on the IT front should not really come as a surprise, given the retrogressive mindset of the men in charge there today. Worse still, the havoc they are wracking in one state has ramifications for the rest of the country. All of India suddenly became a less alluring investment destination for prospective foreign investors when Gujarat went up in flames. People fretted about friends or relatives; the stockmarkets took a tumble; consumers found that their favourite snacks had disappeared from store shelves; large companies experienced disruptions in the supply chains – in ways big or small, the turbulence in Gujarat touched the lives of most of us. And as the government and opposition concentrated on shouting each other down, hardly anyone noticed when agriculture minister Ajit Singh cleared a hike in the support price of wheat. Never mind that this is likely to add significantly both to India's already overflowing stockpiles of grain and the crushing cost of maintaining them. Many conspiracy theorists postulate that a foreign hand is out to wreck India. Maybe it is. But recent events would surely have rendered it redundant. Nobody needs to destabilise us, or instigate hatred, violence, and chaos. Because we have proved, beyond a shadow of doubt, that we are our own worst enemy.

The Times of India, 29 March 2002

DEADLY SPIRAL

The grisly Godhra (Gujarat) episode of arson on Wednesday that left 50-odd passengers of the Sabarmati Express dead – most of

them kar sevaks returning from Ayodhya – and the backlash of mindless violence it has triggered elsewhere in the State, as rampaging mobs have in a series of reprisals hit back at the minority community and its properties, are clear, disturbing pointers to the explosive communal buildup across the country as a direct consequence of the VHP's provocative and destructive campaign for the construction of a Ram temple in Ayodhya. What happened in Godhra, about which there are different and conflicting versions, is a dastardly act and it deserves to be condemned unequivocally and in the strongest of terms, and no provocation can even remotely be brought in to justify the slaughter of innocent people. No effort should be spared by the Government to track down the culprits and bring them to justice at the earliest, even as quick measures are taken to ensure that the vicious spiral of violence does not get out of hand and a sense of security is restored among the people.

This said, one cannot but pinpoint the harsh reality that events such as the horror of Godhra were tragically predictable as a result of the wounding and aggressive communal campaign of the VHP. It has been ruthlessly pursuing its agenda of commencing the temple construction on March 15, 'come-what-may', and whipping up communal passions through mass mobilisation of Ram Sevaks – some one million of them – across the country. The whole buildup, which started gaining momentum about a month ago – with the VHP and its 'sant parivar' giving an ultimatum to the Vajpayee Government to hand over the so-called 'undisputed' part of the acquired land – has been typical of the much-too-familiar strategy of the Sangh Parivar, providing an ominous throw-back to the run-up to the Babri Masjid demolition on December 6, 1992. As a consequence of the audaciously provocative ways of the Ram temple proponents – as evidenced by their determination to start moving the carved stone pillars to the building site from March 15 and the regular convergence of frenzied kar sevak contingents on Ayodhya from different parts of the country daily since February 24 – the situation on the communal front rapidly deteriorated, with sharp polarisation of the majority and minority community, becoming explosive by the day. The dangerous implications of such a trend for a State like Gujarat – known for its high vulnerability to communal riots and its perceived status as a laboratory of Hindutva political doctrines – are alarming. In many respects, the evolving milieu resembles what obtained during L.K. Advani's rath yatra, an event that generated communal disturbance all along its route.

To all the open and persistent threats by the VHP to flout governmental authority, judicial injunctions and the law of the land, the Vajpayee regime's response has been singularly devoid of any inclination to preempt a potential disaster. There has been on its part a shocking disinclination to make such interventions. Its attitude suggesting the maintaining of status quo at the disputed site strongly hinted of a narrowly partisan calculation that had to do with the just-concluded Assembly elections in Uttar Pradesh. That the strategy did not pay off is a different story. It required a horrendous episode of Godhra's dimensions for the Vajpayee Government even to make an appeal to the VHP to stop its temple construction agenda. It is only now that the Government appears moved to take such elementary preventive steps like barring entry of kar sevaks in Ayodhya and screening passengers of Ayodhya-bound trains. The Vajpayee administration's response is a clear case of 'too little, too late'. The need of the moment post-Godhra and given the ominous portents of the worst fears of a communal conflagration proving true, is decisive action nation-wide that asserts a 'no-nonsense' approach to the VHP's law-defying Ram temple construction plan and also inspires public confidence that the Government is indeed serious about upholding the rule of law. The present political uncertainty in Uttar Pradesh following a terribly fractured mandate only casts a greater responsibility on the Centre in this regard.

The Hindu, 1 March 2002

HORROR IN GUJARAT

The horrifying scale of violence reflecting in the communal carnage as angry mobs launched vicious reprisals for the Godhra train massacre which has seen several cities and towns of Gujarat go up in flames has also shown a virtual collapse of Governmental authority. The singularly inept and slow response to the scenes of destruction and death raises disturbing questions about the Gujarat State Government's approach. True, any administration will necessarily require some lead time to react to a sudden and potentially explosive development. The Narendra Modi regime however showed little signs of having come to grips with the situation as late as

Thursday evening, leaving the field absolutely free for rampaging mobs to go about their 'business' – looting, pillaging and setting blocks of houses afire at will – and there appeared to be a clear design behind all the 'senseless' violence, going by the targets they had chosen – shops and houses owned by the minority community in revenge for the Godhra incident. But shocking was the police personnel's blatant failure to intervene even in cases where such outrageous attacks were taking place in their very presence, as tellingly brought out by the electronic media. If the law enforcing machinery in Gujarat has been notoriously politicised and communalised, the fact that all the current lawlessness that has been unleashed in the name of a VHP-sponsored 'bandh' to protest against the Godhra carnage more than explains the State BJP regime's deliberate lack of firmness in containing the orgy of violence. There has also been an inexplicable delay in calling in the Army. Such a partisan approach to critical issues of governance like maintaining public peace and ensuring the security of the citizenry will seriously undermine the legitimacy of the Modi administration.

In fact, given the VHP's plan to organise such 'protest bandhs' nation-wide and the sort of religious frenzy the outfit has whipped up over the Ayodhya temple issue, there is the real danger of the country being plunged into a communal holocaust of the kind that followed the demolition of the Babri Masjid in 1992. Impelled as the VHP and its allies in the Sangh Parivar are by atavistic passion and revanchism, their high-voltage protests are potential flashpoints, given the hate campaign being aggressively mounted against the minority community in the pursuit of their political agenda. In a state like Maharashtra, which was witness to the most horrific ever communal conflagration in December 1992-January 1993, the mischief potential of a bandh is all the more because of the chauvinist Shiv Sena's support to the VHP's call. The Governments of various states, as also the centre, owe it to the democratic polity and the Constitution that the Godhra Carnage is not exploited to create an atmosphere of terror and to fragment civil society more sharply on communal lines.

Viewed in this perspective, the support extended by the BJP – the party heading a coalition at the Centre and running Governments in a few states – to the VHP's call for protest bandhs is very disturbing, raising as it does serious misgivings about the BJP Government's readiness to take necessary stern action against the disruptive elements. If anything, the way the Narendra Modi

government has handled the situation goes to strengthen this construction. Armed as it is with special laws to deal with terrorist groups and organised criminals, the Government will have no excuse for not invoking them against the likes of the VHP, should they refuse to listen to voices of sanity and reason and instead push ahead with their insidious game of targeting the minorities under the pretext of protesting the Godhra killings. The BJP leadership, especially that which is vested with the responsibility of governance, ought to remember that what is at stake is the nation's integrity and uniquely pluralistic character and that it cannot be sustained if a section of the people feels insecure or threatened by another more numerically dominant group.

The Hindu, 2 March 2002

CRACK DOWN NOW

The systematic and savage manner in which Vishwa Hindu Parishad (VHP) activists have gone about killing people, looting and burning property across the state of Gujarat over the last two days must be condemned unequivocally. The violence has left over 200 people dead so far. What is particularly shocking is that the VHP leaders are justifying the violence. They have said that the riots are a response to Wednesday's attack on the Sabarmati Express at Godhra. While the VHP and some of its fraternal organisations allege that the Godhra killings were the work of Muslims, there is no evidence yet to support this claim. An enquiry into that has been ordered and until the findings of that investigation are known, the VHP has no business to make irresponsible claims. The targeting of members of specific communities is evidence enough that it is to further vitiate the already communal atmosphere in the country that the VHP has let loose its activists. It is time the VHP woke up to the fact that the rest of India does not agree with its hate-filled agenda and politics of revenge and retribution.

There is growing evidence pointing to the Gujarat government's complicity in the violence. According to reports, the police refused to come to the rescue of victims. It was several hours and after scores of people had been killed that the government took steps. It

was clear immediately after the Godhra attack and the manner in which mobs were mobilised at the site of the incident that violence was imminent. What prevented the government from taking preventive steps? Chief Minister Narendra Modi must account for his administration's failure to act effectively. There are worrying pointers that the VHP will carry its violence to other states as well and seek to worsen tension in the run up to its planned building activity at Ayodhya. Prime Minister Vajpayee and Home Minister L. K. Advani have issued a stern warning to the VHP, but how genuine is their opposition to the VHP plan? If the BJP government is indeed genuinely opposed to the VHP's approach, it must unambiguously distance itself from its agenda and crack down on Hindu extremism.

Deccan Herald, 2 March 2002

CARNAGE UNCHECKED

The Gujarat government cannot evade responsibility for failing to check the violence in Ahmedabad and elsewhere. One would like to ascribe this shocking failure to the inefficiency of the Narendra Modi administration and not to conscious design. But there are highly disturbing indications of official culpability which show the state government in very poor light. Some of these relate to admissions by senior police personnel that their officers and men may have been remiss in their duties because of the prevailing 'sentiment'. If true, the failure to respond to the crisis amounts to a deliberate dereliction of duty which brings into disrepute virtually the entire administrative structure. This abdication of responsibility is also evident from reports that the police were often passive bystanders during the mayhem perpetrated by the rioters.

Arguably, the number of policemen may not have been sufficient to cope with the crisis. But the horrifying Godhra massacre should have warned the government about a violent reaction. As it is, the Godhra tragedy showed how ineffective the state's intelligence machinery is, for it should have been aware of the mounting tension in communally sensitive areas. Had the police been alert about this development, perhaps the horrendous event could have been avoided. In its aftermath, however, the administration had enough

time to prepare against a possible backlash. For one thing, more paramilitary forces could have been stationed in vulnerable areas. For another, the army could have been put on standby much earlier. Many lives might have been saved if these two steps were taken.

Instead, the authorities seem to have decided to depend solely on the police, which is rarely an adequate response in such conditions. The inordinate delay in summoning the army is also surprising. These omissions suggest that the state government was neither efficient nor neutral. However, few will be surprised by its role considering that it helped the VHP both politically and administratively during the build-up of the Ayodhya movement in the last few weeks. A government which plays a partisan role in one context can hardly be expected not to do so when trouble breaks out.

Hindustan Times, 2 March 2002

A RIOT-FREE GOVERNMENT?

If the demolition of Babri Masjid is a permanent blot on the BJP's political record, the carnage in Gujarat has now besmirched its administrative record – perhaps for ever. It is a failure of gigantic proportions which cannot but be a matter of deep shame to any government. Nor is the state government alone to blame for its disgraceful apathy when facing a situation where thousands of innocent lives were at peril. Much of the responsibility for this criminal negligence has also to be borne by the Union home ministry. It is to the credit of Defence Minister George Fernandes that he initiated measures for restoring some semblance of order in the strife-torn state although it was not his primary responsibility. Had he not stepped in, one shudders to think how many more lives would have been lost.

If Narendra Modi's inexperience is to blame for the anarchy, then there must be second thoughts about his continuance as chief minister. Equally, if there are reasons to suspect political and administrative complicity in the carnage – as the observations of police officials suggest – then there is even less reason for Mr Modi to remain in office. But it isn't a matter of individual culpability alone. Gujarat's descent into chaos is a direct result of the kind of provocative

politics which the Sangh Parivar has pursued in the state for several years. Starting with the attack on Christians soon after the BJP assumed power. Gujarat has been a tinder box ever since because of the aggressive tactics which the saffron activists were allowed to follow by an indulgent administration.

It is the same habit of the officialdom to look the other way when the Hindutva activists go on the rampage which has led to the present crisis. Since the VHP hasn't shown any genuine inclination to defuse the crisis in Ayodhya, the situation in Gujarat is likely to remain highly inflammable in the foreseeable future even if some kind of surface calm is restored for the time being. The simple fact is that the government there is a part of the problem. The BJP used to claim at one time that it was capable of providing a riot-free government. Now the fatuity of that assertion has been thoroughly exposed.

Hindustan Times, 4 March 2002

TIME TO RESIGN

There is something deeply distasteful about the manner in which Narendra Modi, the discredited chief minister of Gujarat, is behaving. The failure of his government to control the rioting and to quickly restore peace to his troubled state is not surprising: the police fail each time there is a riot in Ahmedabad and over the last four years, the Gujarat administration's already dismal record has been further blighted by the extremist antics of the BJP government. Moreover, Mr Modi is an administrative novice. His chief claims to fame are his role as Murli Manohar Joshi's assistant during a Bharat Yatra and his new career as a professional guest on TV talk shows. He has never held office, has no clue how government functions.

All of this could have been predicted by anyone with even a passing knowledge of Gujarat. But what has surprised people is not Mr Modi's failure as a chief minister but the nature of his utterances. Almost all of the Gujarat government's positions are contradictory. Mr Modi says that the Godhra massacre should not be seen as retaliation for Ayodhya but for what it really was: an inhuman and barbaric act. So far, so good. But he then goes on to add that

the massacres of Muslims throughout Gujarat should nevertheless be seen as retaliation. He cannot have it both ways.

Next, his police commissioner goes on TV to explain the failure of his police force to stop the slaughter. Well, he says, you cannot expect policemen to be exempt from the mood of the community (i.e. they wanted to attack Muslims). This is not only a deeply offensive statement – the whole point of creating a police force is that it functions as an instrument of the State, not as a bunch of Hindus or a collection of Muslims – but it also shows the chief minister in a poor light. If Mr Modi knew that the police could not be counted on (because they shared the so-called 'mood of the community') then why didn't he send for the army at the first sign of trouble? Why did he delay and then, when the troops finally arrived, why did he refuse to extend administrative cooperation? Matters got to the stage where even George Fernandes – surely no critic of the NDA government, given that he is one of its leading lights – lost his temper with the chief minister.

Mr Modi has had his chance to be chief minister. During his brief tenure in Ahmedabad over 500 people have died. It is time now for him to accept what everybody else can see – he is not cut out for ministerial office, or for any office for that matter. It is time to throw in the towel, to fly back to Delhi and to resume his normal lifestyle of appearing on Zee News and Aaj Tak each night. At least that way he will do less damage, and lives will saved.

Hindustan Times, 5 March 2002

MODI'S DAMNED CAMPS

It is anybody's guess how long the discredited chief minister of Gujarat, Narendra Modi, can survive in office. An honourable man would have resigned by now and a party that was more sensitive to public opinion than the BJP is, would have replaced him. But Mr Modi seems to insist on clinging on to his job by his fingernails, pretending that everything is all right. He hopes to survive by spreading disinformation and playing politics – such as his demonstrably false claim that the corporators arrested in Godhra for the train massacre represented the Congress when, in fact, the Congress has

no Muslim corporators in that area – and by alternately censoring and then giving interviews to the very news channels that turned him into one of India's best-known talking heads.

The latest injustice in Ahmedabad concerns the makeshift camps that house over 35,000 displaced Muslims. Conditions at these camps are so barbaric that survivors feel as though they have been trapped in concentration camps. Survivors are not allowed to go out to buy basic commodities and no one is allowed to go in to offer relief. Conditions are unsanitary and survivors who suffer from burns and other serious injuries desperately need medical aid and urgent help before their conditions worsen.

Unofficial estimates put the death toll at 2,000, but the Modi government insists that it is limited to 500. The families of these 500 people will get only Rs 1 lakh if the state decides to grant compensation (and so far, no compensation has been announced), while the families of those massacred in the Godhra tragedy will get double that amount.

All of this strengthens the belief that if Mr Modi is not motivated then he is simply incompetent. He has done enough damage. If he had not been a chief minister from the ruling party, any central government would have dismissed him and the president would have promptly signed the order. Atal Bihari Vajpayee has done his credibility no good by letting this man continue in office. It is still not too late. He can still replace Mr. Modi.

Hindustan Times, 6 March 2002

SUFFERING HAS NO NAME

Is the trauma of Gujarat receding from our consciousness? As reporters and photographers bring back untold tales of unimaginable human bestiality – from Godhra to Naroda – thousands of survivors are living out in the open, in unhygienic, crowded camps, often without medical help, trying to make sense of their shattered lives. Not only did the Narendra Modi government fail to deploy the army when organised gangs of murderers went about ethnic cleansing in Ahmedabad, it is also decided not to move an inch when it came to emergency relief. It's like an action replay of what

happened after the quake.

Gujarat has lost crores in financial assets in the rioting. The economic infrastructure of the Muslims has been destroyed in Ahmedabad. Their houses and shops have been burnt and looted. It was clearly a targeted attack so as to completely cripple one community. Homeless in their own land, they are now facing a State apparatus that seems everyday more proud of its crass insensitivity and inefficiency. But for the army, and ordinary citizens, both Hindus and Muslims, who helped each other despite the fear of retribution, the survivors would have met a different fate. Amidst this festival of hate, there are too many stories of how members of the two communities reached out, gave shelter to besieged families, risking their lives. It's not therefore surprising that citizens and voluntary groups were the first to set up relief camps and safe zones, while Mr Modi blamed the media for reporting the truth.

If people are complaining of discrimination in relief, it was best illustrated by the Gujarat government's declaration that the victims of Godhra massacre will get Rs 2 lakh in compensation while the rest should make do with Rs 1 lakh. For the brazenly partisan BJP government in Gujarat, even in death there is no equality. Is human tragedy less or more depending on one's name? Despite the Modi government's U-turn on compensation under popular pressure, the people are complaining that those who have survived, some with serious burn injuries, are now victims of yet another round of State-sponsored ethnic discrimination. Should this be happening in a secular democracy where the Constitution promises equality to all?

Hindustan Times, 13 March 2002

MR MODI MUST GO

The Union Home Minister, L.K. Advani, has sought to defend the patently indefensible when he fended off all criticism, in Parliament, of the Narendra Modi Government in Gujarat for the way it handled the communal riots that rocked the State recently. If the arguments Mr Advani has advanced in support of the State Government failed to carry conviction, flying as they did in the face of independently-sourced hard facts, his giving a clean chit to Mr Modi

has clearly added insult to injury. In doing so, Mr Advani has condoned the rank ineptitude and appalling insensitivity that stood out in the administration's response to the orgy of retaliatory communal violence. Worse still, the Home Minister has, by backing him to the hilt, virtually given credence to the outrageously pernicious theories Mr Modi had advanced to explain away, if not justify, what by any reckoning was one of the worst communal massacres the country has witnessed since Partition.

The Narendra Modi Government stands condemned on several counts. First, it miserably failed to anticipate the severity of the backlash the horrendous Godhra carnage would trigger, given its sensitive communal dimension. As for the Godhra episode itself, the fact that it was a planned and deliberate attack targeting the VHP activists (returning from Ayodhya) points to a clear failure on the part of intelligence and law enforcement agencies. Second, the administration allowed the rampaging mobs a free run for a full day and more, under cover of a protest bandh called by the VHP, with the police turning the other way as the frenzied mobs raided residential colonies and burnt whole families belonging to the minority community. If the law enforcing machinery in Gujarat has been notoriously politicised and communalised, the corrosive phenomenon showed up in all its alarming dimensions post-Godhra, what with the uniformed men in a plethora of cases – according to credible media reports – unabashedly conniving with the saffron brigades as they went about their vicious attacks on the Muslim community. The delayed induction of the Army, which is yet to be explained convincingly, suggests a sinister calculation. Only after the entry of the Union Defence Minister, George Fernandes, into the picture did the law and order situation start showing signs of improvement, and this in itself is a 'testimony' to the State administration's level of performance.

The Modi regime's blatantly partisan approach to critical issues of governance such as maintaining public peace and ensuring the safety of the citizenry found its vilest expressions on two occasions. First, when the Chief Minister explained the pogrom in terms of the 'every-action-has-a-reaction' theory, the cynical suggestion being that the Muslim community must pay for the killing of the Hindus in the Godhra incident. In the same vein was the police chief's profound observation, at the height of the revenge killings, that the uniformed personnel cannot remain unaffected by 'sentiments' (read, revenge). Second, when Mr Modi assigned different mon-

etary values to human lives lost in the Godhra massacre and those lost in the subsequent communal riots, this amounted to crass discrimination betraying his majoritarian mindset. Thus, it is not merely that the governmental authority has miserably failed but that the administration as also the political establishment in office have turned into instruments of terror and persecution, so to say, vis-à-vis the minority community. It is, therefore, not without reason that Mr Modi is blamed for grave dereliction of Constitutional duties and he deserves to go; after all, there are cases of Governments having to quit for less serious lapses. As long as Mr Modi is allowed to stay on, Mr Advani's – and the Prime Minister, Mr Atal Bihari Vajpayee's – description of the Gujarat riots as a 'black mark' on the nation's face will ring hollow.

The Hindu, 13 March 2002

ATAL'S ACID TEST

As a helpless prime minister reluctantly packs his bags for a first-hand assessment of the ground realities in Gujarat – a full month after he described the carnage in the state as a ***kalank*** – the Modi government has gone into an administrative overdrive. The intent behind this sudden flurry of activity – like everything else that Mr Modi has done or, more often, not done in the past month – is as cynical as it is chilling: To sweep under the welcoming red carpet for Atalji, all tell-tale signs of his own government's complicity in abetting the horrific aftermath of Godhra. On Tuesday, barely 48 hours before Mr Vajpayee was due to arrive, state and municipal officials woke up to the realisation that thousands of violence victims in the state have been left to 'live' in conditions that defy human imagination. On a war footing, they set about turning the two or so camps, that the prime minister is expected to see for himself, into model human habitations. From supplies of safe drinking water to generous helpings of DDT, from cash doles to tents for protection from the blistering sun, they brought to the inmates the fruits of Mr Modi's munificence. While the official machinery was frantically sprucing up the camps – which neither the chief minister nor any of his ministers has so far visited even once – Mr Modi magnanimously

found time to express concern about the 'plight' of the affected people. He even granted an audience to representatives from minority groups, promising them 'soft loans' to rebuild their shattered lives, homes and businesses. Having done all he could to address the [*sic*] Atalji's reported ultimatum on rehabilitation of victims, Mr Modi can only blame his stars that the violence in the state showed no signs of abating and has in fact spread to new areas.

Not that Mr Modi needs to worry too much on that count. A day after the National Human Rights Commission took the Gujarat government to task for its failure to control violence and provide relief, the BJP president, Jana Krishnamurthy, gave Mr Modi a clean chit and ruled out any change of leadership in the besieged, lawless state. Parroting the chief minister's righteous refrain against the media for its 'partisan' coverage of the communal situation, Mr Krishnamurthy upheld Mr Modi's specious claims of having restored normality in the state. Shocking though Mr Krishnamurthy's irresponsible outburst might be, it is of a piece with the pronouncements of the parivar. In the last few weeks, the RSS and its affiliate organisations have made it abundantly clear that they see nothing wrong in the Gujarat government's handling of the violence and subsequent relief operations in the state. Clearly, even before Atalji leaves for Gandhinagar, every effort is being made to present him with a fait accompli: To exonerate Mr Modi from any blame. A whisper campaign has meanwhile begun, lauding Mr Modi as a new Hindutva hero, who will bring the party untold electoral bounties in the future. While the prime minister is said to be deeply unhappy with the events unfolding in Gujarat, he has demonstrated no public will to crack the whip against the guilty government in Gandhinagar. It is time Mr Vajpayee demonstrated the authority reposed in him by a billion-plus Indians. Bringing Mr Modi to account is only the first necessary step in that long endeavour.

The Times of India, 4 April 2002

GUJARAT, HERE HE COMES

When the date of the prime minister's visit to Gujarat was fixed, the presumption apparently was that the situation would improve

by then. After all, more than a month has passed since the riots erupted at the end of February. But, evidently due to the egregious nature of the Narendra Modi government's functioning, Gujarat continues to burn. Since even Ahmedabad, where the forces of law and order are at their strongest, knows no peace, it is hardly surprising that the lesser towns and the vast countryside remain in the grip of tension and sporadic violence. Mr Vajpayee's visit is expected to convey a message of reassurance to the sufferers that the country is on their side and is making all efforts to enable them to return to normal life as soon as possible.

However, to seem convincing, the prime minister will have to do much more than announce measures of relief and rehabilitation, no matter how generous. None of it will mean anything to the victims as long as they recall the nightmarish experience of being at the mercy of the rioters with the state administration seemingly indifferent to their plight. There have been far too many instances of the Modi government's complicity in the carnage for any soothing balm which Mr Vajpayee may choose to apply to have a healing effect. There have been other instances, too, of official inability or unwillingness to act during such outbreaks, most notably in 1984 and in Maharashtra after the Babri Masjid demolition. But rarely has there been official culpability of the kind that has been seen in Gujarat. To make matters worse, there is now evidence of the state government acting against those officials who tried to act impartially during the outbreak.

There is little doubt that Gujarat will know no respite from violence in the near future because the rioters are well aware of protection from the top. It is this incontrovertible fact which the prime minister will have to take into account during his visit. The law and order machinery in Gujarat did not collapse, it was subverted from within. The prime minister has already described the riots as a shame for the nation. The deliberate crippling of the administration by those in authority is an even bigger shame.

Hindustan Times, 4 April 2002

AN EXPRESSION OF NO-CONFIDENCE

Over five weeks after the Godhra carnage and some three weeks after the Union Home Minister, L.K. Advani, had 'hailed' the Narendra Modi Government for bringing its violent backlash under control within 72 hours, communal embers are still burning in Gujarat. Since then, not a day has passed without communal violence breaking out in one place or another, with someone being stabbed or killed, house(s) or places of worship being torched and curfew being imposed in cities/towns. In one such gruesome episode, on Tuesday night, five persons belonging to a minority community were burnt alive in a mob attack in a remote village in south Gujarat. A more disturbing feature of the continuing trend is that it is no longer confined to cities and towns that are known to be communally sensitive; for instance, the Kutch region that carries no such tag has been drawn into the communal vortex. No Government worth its name and one that feels accountable to the Constitution can be so preposterous as to make the claim about restoration of normality, as Mr Modi does, in the face of this stark ground reality. One has it on the authority of the National Human Rights Commission Chairman, J.S. Verma, that three weeks after the gory Godhra episode a pervasive 'sense of insecurity' and 'fear psychosis' was haunting the people affected by the communal rage and this certainly cannot add up to 'normality'.

What the NHRC has said in its latest report on 'Godhra and its aftermath', even if preliminary in nature, is much more than a damning indictment of the State Government; it is a virtual motion of 'no confidence' against the Modi regime. In making out a strong case for the handing over of what it calls 'critical cases' – those involving heavy loss of human lives and property in targeted violence – to the CBI for investigation, it has virtually endorsed the widely-shared lack of faith in the fairness and impartiality of the investigating agencies under the Modi administration. This is on top of the panel's censure of the Government for serious lapses in almost every crucial area of administration and law enforcement. Nor can one ignore the pile of credible evidence suggesting that it was not just 'inaction' or 'inefficiency' on the part of the official agencies, but unabashed connivance and collusion with the perpetrators of

murderous attacks in many cases, as the Sangh Parivar brigades went on an orchestrated pogrom targeting the Muslims. What emerges therefore is a blatant complicity by the powers that be in the mindless vengeful attacks on the minorities, and the sectarian mindset of Mr Modi stood out in almost every one of his actions and pronouncements; the classic example is of course his taking recourse to the 'every action has a reaction' principle to justify the aftermath of Godhra. In fact, the sort of insensitivity and apathy that has characterised his Government's attitude to relief and rehabilitation concerns vis-à-vis the thousands of families rendered homeless would appear to have a lot to do with the communal factor.

Of considerable significance in this context is the NHRC's pointed observation that it was the 'primary and inescapable responsibility of the state' to protect human rights. Behind this is an unmistakable message that the Narendra Modi regime has abdicated that responsibility. The Prime Minister, Atal Bihari Vajpayee, who is visiting Gujarat today, would do well to take the cue and act accordingly. Every passing day witnesses the strengthening of the case for Mr Modi's removal from the Chief Ministership, and it is the minimum required for erasing the 'blot' that Mr. Vajpayee said the Gujarat riots have caused on the nation's face.

The Hindu, 4 April 2002

NOT BY WORDS

In the beginning is the deed and the deed is with man and the deed is man. This change in the famous opening lines of St John's gospel can only be permitted when one is discussing politics and leadership. The mettle of a prime minister is not measured by what he says and the sense of shame he expresses. The only index of a prime minister's abilities and effectiveness is the actions he takes to uphold the law of the land and the dignity of the office he holds. Mr Atal Behari Vajpayee, during his whistle-stop tour of the killing fields of Gujarat, displayed an attitude which is matched only by the insouciance of the chief minister of Gujarat, Mr Narendra Modi. Mr Vajpayee's advice to Mr Modi was that the latter should uphold raj dharma (ethics of governance or ruling). It is not surprising that

Mr Vajpayee, as a loyal member of the Sangh Parivar, should resurrect a notion from the Hindu scriptures. What is surprising is the complete absence of self-consciousness on the part of the prime minister. By any reckoning, by refusing to remove Mr Modi from his post, Mr Vajpayee has failed to perform what he calls raj dharma and what others would prefer to call his constitutional duties and even decency. It is clear from all that has come to light that Mr Modi has failed to suppress violence in Gujarat and to take action against those who masterminded the crimes. There is a growing suspicion that his deliberate inaction led to an escalation of the killings. Mr Modi has not had the basic humanity to visit any of the camps that have been set up for those who have lost everything in the violence. Despite this track record, Mr Modi continues as the chief minister of Gujarat with the blessings of the prime minister.

The accusing finger has rightly been pointed at Mr Modi. It is time it was turned towards those whose blessings and support enable Mr Modi to thrive. Mr Vajpayee will feature very high on that list simply because he is the prime minister and because he has failed to remove Mr Modi. In Ahmedabad, Mr Vajpayee declared that he was sure that Mr Modi is practising raj dharma. That there was no irony embedded in the statement is evident from the presence of Mr Modi in the chief minister's office. Mr Vajpayee has been long enough in politics to know that high sounding words or the recitation of poetry or the publication of 'musings' are not enough to assuage a nation's conscience and anger. So far Mr Vajpayee has done only this. In terms of action, the prime minister visited Gujarat only one month after the violence first erupted. During that visit, he could do no better than mouth pious sentiments and issue a certificate to the man who had done nothing to stop the butchery.

If raj dharma is the criterion, both the chief minister of Gujarat, and the prime minister of India have failed. Both have failed to carry out the duties that they are supposed to carry out towards those who have put them in their high offices. Their absence of action constitutes a dereliction of duty and a breach of trust. At a deeper level, their indifference towards human suffering and their attempts to cover up their indifference with words, gestures and smiles are a betrayal of all that goes by the name of decency. At the end also is the deed.

The Telegraph, 6 April 2002

NO BALM IN GUJARAT

Judge a man, goes the old wise saying, but his actions rather than his words. But just occasionally, words speak far more eloquently than actions. Thursday was one such occasion in Narendra Modi's Gujarat. The words in question came from an old, broken man, better known as Atal Behari Vajpayee – the democratically chosen leader, need one stress, of a billion-plus people. The venue of his anguished discourse: A relief camp in Ahmedabad, housing some 10,000 devastated, terrified and helpless human beings – just ten thousand among an estimated hundred thousand others, marooned across the state in conditions that violate any notion of human dignity. As a handful of them narrated their heart-rending tales of suffering and victimisation at the hands of a leader and a government that, in the prime minister's own estimation, had defaulted on their constitutional obligations, Atalji could do no better than express his deep sense of shame. And offer many words of consolation. 'I am aware of your problems and have come to resolve them,' he said in a choking voice. 'Don't think you are alone. The whole country is with you'. His government, he reassured the residents of the Shah Alam camp, was committed to providing 'security' to everyone, adding: 'There was no question of discrimination.' But beyond verbal sympathy and token gestures of financial help, Atalji appeared as despairing and helpless as the people he was addressing. On the question that was uppermost in the minds of all – what action the Centre might take against the guilty state government – he had nothing specific to say, allowing himself some vague, well-meaning words about 'politicians recognising their responsibilities' and state officials 'doing their duty' by the people. It was the plaintive, humanist cry of a desperate man. Not the authoritative voice of a strong-willed leader.

At the end of a sad day for India's increasingly fragile democracy, even that illusion was broken. Addressing the media in the evening, Atalji reminded Mr Modi once again of his raj dharma but ruled out a change of guard in the state. Shorn of rhetoric, what Atalji said amounted to a pathetic admission that while the Gujarat government was to blame for the situation, taking action against Mr Modi was beyond his authority. Clearly, the party and parivar to which he belongs had laid down a *Lakshman Rekha* which Atalji, as so often in the past, felt powerless to cross. Perhaps the reason Atalji had

refused to visit the state earlier had nothing to do with 'security' considerations, as he had claimed during his visit. Perhaps it had to do with the fait accompli – about Mr Modi's fate – that he had been presented with: Freedom with emotional words, but no firm action. Long before Mr Vajpayee landed in Gujarat, his deputy in the government, home minister L. K. Advani, had set the tone. After an initial show of displeasure, he came around to lauding Mr Modi for his role in restoring 'normality' to the state. Earlier in the week, the BJP president, Jana Krishnamurthy, joined the growing chorus of admiration and approval within the RSS ranks for Mr Modi's gross (mis)handling of the violence and subsequent relief operations in Gujarat. The poet in Atalji can sometimes exaggerate the power of words. What the polity and the thousands of victims he left behind in Gujarat rightfully demand are not words but actions.

The Times of India, 6 April 2002

MODI'S MUZZLEMEN

It is in the nature of state-sponsored violence that along with countless helpless victims, it also targets institutions that are considered part of the systemic check and balance. The unfortunate thing about the press is that while it is a vital, indeed a dramatically viable, part of this systemic course correction, it is entirely vulnerable to attack unlike the other pillars of democracy, such as the judiciary and the legislature. Which is why when the media protests an attack on its members, as it has done following Sunday's unprovoked lathicharge on journalists in Ahmedabad, it becomes more than an act of self-interest. A fettered and fearful media is the first step towards fascism. And for this reason alone, the press needs to be ready to remonstrate, and more importantly, ready and prepared for assaults on its freedom and integrity. If the police in Narendra Modi's anarchist Gujarat set upon a peaceful assemblage of journalists and sent many of them to hospital, that must be treated as part of the script penned by Mr Modi, considering the media's role in exposing the unspeakable excesses of his government. Take this very incident. An FIR filed by the offending policemen accuses the journalists of illegally assembling at the Gandhi Ashram and

obstructing the former from doing their duty. In truth, the print and TV journalists had lawfully gathered at the ashram to report on a peace meeting. It was hardly their fault, then, that when the same meeting was disrupted by a mob led by a BJP youth leader, they chose to record the violence rather than shut their notebooks and cameras.

For doing their duty, then, the journalists were not only soundly thrashed but a counter-complaint lodged against them, and by policemen bound by oath to protect citizens. It turns out further that the only police officer who intervened to save the journalists, thus acting according to law, has been transferred out. If all this sounds bizarre, there is simply no help for it because lawlessness has become the norm in Modi's Gujarat. Who can explain the perversity of these actions to a chief minister and his policemen, who, in a month of unceasing violence, have demonstrated that they are a law unto themselves? But why blame only the Gujarat chief minister? Mr Modi's belated apology over Sunday's assault notwithstanding, there has been a barrage of criticism from BJP leaders concerning the media coverage of the riots. A mere two days ago, home minister L. K. Advani lamented the indiscretions of the press, including most notably, its refusal to stick to the tradition of not naming communities. All we can say is: Hats off to the courage of the press, which for once named names instead of hiding behind the safety that anonymity so easily provides. As a man who suffered the consequences of censorship during Indira Gandhi's infamous emergency, Mr Advani should have known better than to want to restrain the press. Back then Indira lost an election because she muzzled newspapers that tried to tell her the truth. Today, if this country looks resilient despite the savage attack on its fundamental character, surely we have the media to thank for it. And we are certain that Atal Behari Vajpayee, who is on a 'sell-India' mission abroad, will agree with us.

The Times of India, 9 April 2002

UNCOMFORTABLE GUILT

The first stirrings of conscience within the BJP over the tragic events in Gujarat are evident from Union Food Minister Shanta

Kumar's recent remarks. In contrast to the prime minister's helpless comment about how leaders cannot be trusted these days and the blatant efforts made by other BJP stalwarts to save Narendra Modi, Mr Kumar has unequivocally castigated 'those who think of consolidating Hindutva by shedding blood in Gujarat'. Mr Kumar has also been forthright in his condemnation of the VHP and the Bajrang Dal, accusing them of 'creating havoc in the country' and 'trying to destroy the fabric of the nation'. Indeed, he has gone to the root of the problem by describing the demolition of the Babri masjid as 'a blot on Hinduism'.

It may well be, of course, that Mr Kumar's is a cry in the wilderness. He may make these very same points at the meeting of the BJP's national executive in Goa in a few days time. But it doesn't seem likely that he will have too many supporters. It isn't only that the party and the Sangh parivar have pursued the aggressive Hindutva line for much too long to effect a turn-around at this stage, large sections within these outfits appear convinced of the correctness of the policy. Many of them seem to believe that it was the abandonment of the hardline under pressure from the NDA allies which is responsible for the BJP's poor electoral performance recently. In such circumstances, Mr Kumar's articulation of what can seem to be an unadulterated 'secular' line is likely to be ignored.

Even then, it is heartening to see in an atmosphere of rabid fundamentalism that there are people, even within the BJP, who have serious reservations about the policy pursued by the party since L.K. Advani's rath yatra of 1990. There may be a realisation among a small group that the party has become a virtual prisoner in the hands of what is known as the lunatic fringe of the Sangh parivar. Since the electoral impact of taking an extremist position is uncertain, some are evidently harbouring second thoughts. Mr Kumar is clearly one of them.

Hindustan Times, 9 April 2002

THE WILL IS LACKING

It is more then seven weeks since Gujarat began to burn in the fire of communal violence and yet the flames have not been doused.

Narendra Modi has been told by the Prime Minister that the violence has to stop, but each day there are reports of more atrocities. Modi said these are sporadic incidents, and argues that violence was contained within 72 hours. His tall claims are belied by the poison spreading to areas till now untouched. The earthquake-ravaged district of Kutch on the western border was kept quiet during the worst days of the genocide by a strong and determined administration. A young police officer, Vivek Srivastava, Superintendent of Police for Kutch, had controlled the situation by arresting VHP and Shiv Sena leaders who were inciting trouble and thus pre-empted further damage. Srivastava was 'rewarded' for doing his job by a transfer order. The message was clear and revolting. As soon as Srivastava was transferred and VHP leaders let loose, Kutch went up in flames. The link is too obvious to be missed.

If the police wish to control any situation they can. In some places in Gujarat obviously the will was conspicuously lacking. More than ever before, the police have come under heavy criticism for their complicity in the massacres. There are credible reports of policemen standing by and watching as VHP goons burn, loot and kill and there are visuals of some police actively participating in the mayhem. BJP ministers planted themselves in police control rooms, directing mobs where to attack. The widow of former MP Ehsan Jafri who was burnt alive outside his home has said how her husband made over 200 calls for help to top police officials and politicians, all in vain. The National Human Rights Commission has indicted the state police for waiting for orders from politicians. Don't the guardians of the law have any respect for the uniform they wear or have they sold out completely to the political bosses?

Srivastava was not the only officer who dared to defy the diktats of politicians and tried valiantly to do his duty. Most of those few who dared to do so were similarly 'rewarded'. Modi did worse. He decided on promotions and transfers. Twenty-seven senior police officers were transferred punitively three weeks into the violence. The Chief Minister justified the action saying they were routine promotions. Was the time appropriate for routine tasks? More recently when additional commissioner of police Shivanand Jha was trying to do his duty, by saving journalists from being lathicharged by others in the force at Sabarmati Ashram, Modi has transferred him too – obviously for doing his job well. This shall not pass, Mr Modi!

The Statesman, 11 April 2002

WITHOUT RELIEF

A curious conversation transpired between Prime Minister Vajpayee and Narendra Modi during the latter's visit to the Capital. Mr Vajpayee asked the recalcitrant Gujarat chief minister what had been done to rehabilitate the homeless. Mr Modi, of course, pleaded that he lacked the resources. To this Mr Vajpayee's advice was that Mr Modi tap industrialists for donations. Not possible, said Mr Modi, and off he went back home. What is the message we get from this? That the prime minister of the country, vast resources at his disposal, leaves the monumental task of relief and rehabilitation to the tender mercies of an arrogant chief minister who in turn will pass the hat around to private parties who are under no obligation to contribute to relief efforts. A recent film by independent producer Gopal Menon shows in agonising detail the inhuman conditions in the refugee camps of Gujarat – conditions far worse, it would seem, than even what prevailed in the refugee camps of Rwanda and Burundi. The film shows stoic refugees eating six to a plate, meagre portions of dal and roti, dressed in the same clothes they wore when rampaging mobs hounded them out of their homes. There is resignation all around, no jostling for a bigger portion, no bitterness at being reduced to refugees in their own homeland. Riots are nothing new to India, indeed they now take place with frightening regularity. But, so far, successive governments have not thought it fit to formulate a set of guidelines on how to proceed with relief and rehabilitation. Surely there should be a mechanism in place to ensure that food supplies, sanitation and medical assistance reach the victims within 24 hours.

In the nightmare camps of Gujarat, even basic sanitation measures had not been implemented at the time of the prime minister's belated visit, over a month after the carnage. After his anguished speech in which he dwelt on his inability to show his face abroad, Mr Vajpayee left for the more salubrious climes of South East Asia. Mr Modi promptly dropped all mention of rehabilitation from his still in the making relief package. The truth is there for all to see. A criminally negligent administration, encouraged by an indifferent Central government, has failed to come up with any form of relief and rehabilitation, 44 days after people began crowding into refugee camps. Shell-shocked fact-finding teams have come back to report the magnitude of destruction faced by the Gujarat

victims, and it goes beyond the mere provision of food and clothing. What measures, if any, is the government taking to restore the livelihoods of these shattered people? Then comes the psychological trauma. The pain of the victims is such that many of them cannot even speak, let alone come to terms with the new reality. The task of counselling these people is monumental, yet this issue has not even been raised anywhere. Above all, the victims need assurance that the law will move against those who perpetrated such horror against them. The Modi administration ought to have turned up in full strength at these camps to comfort and reassure the victims. Instead, all we saw was a grim chief minister, standing next to the prime minister on his first, and it would seem, last visit to the refugee camps. The affected sought no kind words from him, and he offered none. And that is perhaps an even greater tragedy than the riots.

The Times of India, 13 April 2002

LAW & DISORDER

Parliament will recommence on Monday – this time under the long shadow of Gujarat. Ideally, the developments in Gujarat, in particular their national and international implications, the collapse of law and order, and remedial measures to ensure against a repetition of the tragedies, should form the subject matter for a reasoned debate. In a mature democracy, the proceedings of the two Houses would start with paying homage to the innocent victims of both Godhra and the riots that followed. There would be a comprehensive statement on the developments by the prime minister, followed by an introspective analysis of the underlying causes that led to this shameful event. To be sure, there would be some inevitable finger-pointing and perhaps even scoring of political points. But the debate would focus on rehabilitation of riot victims, restoring the confidence of citizens, especially the minorities, and the steps necessary to depoliticise the law and order enforcement machinery, so that in future the magistracy and the police are able to deal with law and order autonomously. It might also be expected that the political parties will together outline steps to promote secularism, indeed admit that secularism is vital for this country's unity and

integrity. That, in turn, might lead to further introspection on communal and casteist votebank politics. Should that happen here, despite the Gujarat tragedy, it would be possible to claim that India is determined to get over this chapter of shame and reclaim the basic values of the republic.

Past experience, however, tells us that this is a less likely scenario than the familiar one of members raising an uproar as soon as the proceedings start and rushing into the well of the Houses, forcing helpless presiding officers to adjourn the House. The excuse for this misbehaviour will be the same as that used in Gujarat: That the police officers could not handle large, emotionally-charged crowds. The justification of the MPs for their bad conduct is invariably that they are reacting to an outrage. That the Gujarat riots are an unspeakable outrage is undeniable. Nonetheless, this is the same excuse as the one advanced by the apologists for Gujarat riots: That the mobs were reacting emotionally to the Godhra outrage. Our MPs must know that by not exercising self-control, observing the rules of the House and subjecting themselves to the discipline of the presiding officers, they are only setting themselves as examples to those communal and criminal elements that led the mobs in the streets of Gujarat in an orgy of murderous violence. The disorderly behaviour, lack of restraint, and defiance of presiding officers at the sanctum sanctorum of democracy, resonate and get magnified a million-fold on the streets. The sessions of the two Houses are a litmus test for the commitment of the members of Parliament to true democracy whose fundamental functions are orderly governance and secularism. If they truly care for these values, the country will witness high quality, reasoned debates leading to the formulation of long-term guidelines. Anarchy in the two Houses can only act as tacit endorsement of mob behaviour and provide the justification for bureaucratic inability to control the violators of the rule of law.

The Times of India, 13 April 2002

MR NAIDU'S CONSCIENCE

It has taken Andhra Pradesh's cyber-savvy chief minister an inordinately long time to realise that the recent carnage in Gujarat has

'tarnished India's image of being a liberal, modern and secular society'. The events are now more than a month old and more evidence has emerged during this period about how 'bigotry' was encouraged by the Narendra Modi government. If Chandrababu Naidu cares, he can find any number of heart-rending examples to substantiate the point made in his party's resolution that 'bigotry can have dangerous consequences'. Clearly, what has prompted Mr Naidu to call for Mr Modi's resignation is not a sudden attack of conscience, but realpolitik. Evidence of how the Telugu Desam Party was losing the support of not only the minorities but presumably also of all decent people because of its silence on Gujarat seems to have persuaded Mr Naidu to come out against Mr Modi.

Sadly, instead of adding to his stature, his latest stand has only underlined the kind of cynical calculations which guide today's politicians. Till Thursday morning, Mr Naidu's position as that the restoration of normality was a greater need in Gujarat than Mr Modi's removal. Since this attitude ignored the obvious fact that normal conditions cannot return to the state as long as the aider and abettor of the violence remains in charge, it would have been extremely difficult to sustain it for long. Nor is this allegation something which the opposition is making. The prime minister himself was candid enough to call for the observance of true administrative norms during his visit to Gujarat. Telugu Desam members with greater grassroots contacts must have conveyed to Mr Naidu the negative political fallout from his earlier attitude. Hence, the volte-face.

In the process, however, Mr Naidu has lost his image of being one of the better breed of politicians. He seems to be as adept at turning a blind eye to uncomfortable realities as the BJP. But having belatedly realised how difficult it is to defend the indefensible, the next point of interest will be his response in case the BJP continues to protect Mr Modi. Mr Naidu's voice may carry greater weight than that of Ramvilas Paswan or Shambhu Srivastava, but the BJP will probably still hope that the fear of a general election may deter Mr Naidu from taking any hasty step.

Hindustan Times, 13 April 2002

UNMASKED TRUTH

A leopard, they say, cannot change its spots. But in India we have long been prepared to believe otherwise. A case in point is that of prime minister Atal Behari Vajpayee. For long, it has remained a fond article with many that Atalji, despite his occasional lapses into hardline Hindutva, is a quintessential liberal at heart, an epitome of the finest that Hinduism has to offer. However, even apologists would find it difficult to maintain the illusion after Mr Vajpayee's performance at the BJP's national executive meeting in Goa on Friday. In a stunning reversal of his earlier indictment of the Narendra Modi government for failing to uphold its constitutional obligations or rajdharma, Mr Vajpayee gave the discredited chief minister a virtual clean chit even as he sanctified the post-Godhra carnage in Gujarat as an inevitable reaction. 'If there had been no Godhra,' he said, cynically echoing Mr Modi's earlier attempts to justify large-scale violence against minorities in the state, 'the tragedy in Guarat would not have occurred.' Not satisfied with a simple rejection of the growing clamour among the NDA allies for the removal of Mr Modi, Mr Vajpayee launched into a sweeping, gratuitous attack on minority religions, particularly Islam. 'Wherever there are Muslims,' he sermonised, 'they do not want to live with others. Instead they want to preach and propagate their religion by creating fear and terror in the minds of others.' Even discounting the hyperbole, Mr Vajpayee's unwarranted diatribe against a section of his own people will be difficult to reconcile with his image of being a moderate. It will come as a grave shock to a nation, still coming to terms with the trauma of the past month and a half.

In Gujarat, where the administration stands accused of active complicity in the continuing violence and a total lack of any serious relief effort, it will inflame passions and embolden the chief minister to carry on with his inept, discriminatory ways. Of a piece with the prime minister's ill-judged remarks, is the party executive's decision to go back on his earlier reported stand that Mr Modi should not seek to make political capital out of the violence by dissolving the state assembly and calling for fresh elections. To the question as to why Mr Vajpayee chose such a delicate political moment to cast aside his liberal mukhota and reveal an unseemly sectarian streak, there can be several answers. In the short term, it is a snub to NDA allies that 'Big Brother' BJP will not allow itself to be arm-twisted

on an important political decision. In the long term, it is a decisive step towards the party reclaiming its suspended Hindutva agenda. Having faced a series of humiliating debacles in recent state elections, the BJP believes that it can restore its fortunes only by a full-scale reversion to Hindutva. Even if that means violating the common minimum programme on which they won the last Lok Sabha elections and which was meant to set the governing parameters for the NDA coalition. Clearly, the ball is now firmly in the court of the allies. Starting with the Telugu Desam, they have now to decide – and quickly – whether they will let big brother dictate terms or whether they are prepared to call the BJP's bluff by matching their demand with concrete action.

The Times of India, 15 April 2002

ENCASHING FEAR

The BJP national executive's advice to Narendra Modi to go for elections and seek the people's mandate, while violence continues in Gujarat, is cynicism of the worst kind and constitutes a dangerous assault on the democratic fabric. The pre-requisite for obtaining the people's mandate in a democracy is the holding of free and fair elections, which means creating conditions that will allow the electorate, especially the minorities, to exercise their franchise without fear or a sense of intimidation. This would seem a far cry, given the prevailing environment of anxiety and mistrust in the state. Whenever individual instances of local intimidation come to the notice of the Election Commission, a repoll is ordered in the specific booths after reinforcing the security of the local area. In Gujarat, this is the case in large parts of the state. The homeless refugees will also not be in a position to produce any identification. The National Human Rights Commission, the Minorities Commission and the prime minister himself have talked of the need, most of all, to restore the confidence of the population. However, a month and a half after rioting started, peace is yet to be fully restored in the state. Far from it, the entire administration, from the chief minister and his cabinet colleagues to the law and order machinery, stands accused of blatant partisanship in the use of violence against a section

of the population. Mr Modi has not inspired confidence among the leaders of political parties allied to the BJP. No worthwhile rehabilitation measures have been put in place, as pointed out in these columns a few days ago. The postings and transfer of police officers in the wake of violence have come in for widespread criticism.

Any election held in these circumstances, can only add to the sense of insecurity of the minority. That this is not an unfounded fear became evident at the rousing reception accorded to Mr Modi on his return from Goa. The mostly VHP and RSS gathering, that behaved as if Mr Modi had won a war, welcomed him to shouts of Jai Sri Ram. The point that needs to be made is that an electoral victory for Mr Modi cannot be taken as endorsement of his behaviour, much less as a vindication of the spirit of the Constitution. The rule of law must be viewed independently of elections. Indeed, brute majoritarianism can pave the way to fascism. Gujarat cannot face an election till such time as the victims of the riots are fully rehabilitated, a commitment to a rule of law is demonstrably established and the minorities feel confident that they can vote freely and without fear. That will take more than a year of practice of rajdharma as prescribed to Mr Modi by the prime minister. This issue is not restricted to Gujarat. Free and fair elections and steps against the abuse of constitutional procedures are of interest to all political parties and fair-minded democratic citizens of the country. Therefore, all constitutional means should be availed of to stop Mr Modi from dissolving the assembly and ordering elections. The Election Commission must speak out. The NHRC which has already given its views on the state of affairs in Gujarat has a right to give its views on the suggested elections. Perhaps the Supreme Court could also be moved through a public interest litigation.

The Times of India, 16 April 2002

JUSTICE FOR GUJARAT

The Supreme Court's intervention in the Gujarat tragedy following its acceptance of a public interest petition may have repercussions well beyond the state. What the judiciary will be examining inter alia is whether the state administration showed any bias while

tackling the disturbances. It is evident enough that more than the politicians, it is the officials whose conduct will now come under close scrutiny. While the National Human Rights Commission for Minorities are already probing the carnage, the apex court's intervention means that various legal and ethical aspects of the entire episode will be considered in depth.

If there is any evidence, for instance, that the police and others in the administration had been influenced by their political masters, then it will evidently be a highly damaging indictment of both. The politicians may be able to get away with no more than a verbal admonition since there is unlikely to be anything in writing to prove their guilt. The officials, however, will have to pay a heavy price if they acknowledge, under oath, that they had been forced to act in a certain manner. It is, of course, not only the serving officials who may depose before the court. There may well be others, including those who recently resigned from service, who will be called upon to give evidence. Considering that their resignations were directly related to unwarranted political interference, the value of what they say cannot be denied.

The impact, therefore, of the very process of inquiry will be far-reaching. It will have object lessons both for politicians and officials, not to mention the very basis of administrative functioning. For instance, the question of morality will be raised in the context of determining how duty bound are the officials to follow directives which are patently illegal. In case they raise objections, do they enjoy adequate protection under the existing service rules so that they are not unfairly treated by their superiors? If the outbreak in Gujarat was described as a matter of great shame by the prime minister, it was because it revealed some of the worst facets of political and administrative functioning. If the judiciary can identify these and punish the guilty, the country will be immensely grateful.

Hindustan Times, 17 April 2002

TESTING TIMES

Over the past few days, we have seen a series of reports detailing extensively the security arrangements being made for Muslim

students to take their board exams. Among these are armed escorts for buses to ferry children from the camps to the examination centres. Clearly, such assurances of safe passage from a state which has been seen as a collaborator in the recent pogroms are unlikely to inspire confidence among the refugees. Predictably, around 90 per cent of Muslim students have stayed away from the examinations. But the issue here is not security or safe passage. It staggers the imagination that anyone but the criminally callous could even contemplate that children living in makeshift camps would be in a position actually to sit for a competitive examination. These are children who have suffered extreme and perhaps irreparable trauma. They have witnessed the murders of their parents in the most brutal and inhuman fashion. They have seen the burning alive of their siblings. They have seen the rape of their mothers and sisters. They have seen the destruction of their homes. They have been robbed of everything precious and dear in their lives, from their families to their books and toys. Little Shaheen's testimony is recorded by an independent women's fact-finding panel. Only seven years old, she laments the loss of her cycle, her aeroplane, the little stove on which she made rotis, her doll. Above all, she laments the absence of her Hindu friends with whom she played in school.

These children have yet to come to terms with the horrors they have witnessed and the losses they have suffered. We have recorded repeatedly in these columns the oppressive nature of our school system. Yet, these children are expected to put their traumas behind them within a little over a month and undergo the further stress and strain of an examination. That they are living in camps which lack even basic sanitation, leave alone facilities for them to prepare for an exam, appears completely lost on the authorities. At the time of Partition, to which these riots are being compared, a saner and wiser administration permitted students a grace period of three years to catch up with others. Of course, we don't expect any such compassion from the present set-up. But surely, a grace period of one year could have been provided to these children to pick up the pieces of their shattered lives and get back to a semblance of normalcy. Children are the most innocent and vulnerable victims of any conflict. The sensitivity with which child victims must be handled is documented in various international protocols. The first thing they need apart from basic necessities is to be able to cope with their psychological scars. A more caring administration would have been scouring the country on a war footing

for child psychologists and counsellors to attend to these children. Instead, the Modi administration, in its zeal to prove that it's business as usual, has chosen to go ahead with the examinations. In any civilised society, this would amount to a grave violation of human rights. There has been not a word from any elected representatives right from the prime minister on the need to rehabilitate these children. On the contrary, there has actually been a degree of condemnation that Muslim children boycotted the examinations. But then, in Gujarat today, such things have ceased to surprise.

The Times of India, 20 April 2002

LONG ARM OF THE LAW

The news that relatives of the three British citizens killed in the anti-Muslim violence in Gujarat last month are going to move the British courts for justice is at once an indictment of the Indian judicial system and a warning to politicians that 'national sovereignty' cannot shield them from justice if they commit crimes against humanity. It is by no means certain that the British high court will admit such a case, although lawyers for the three families say they are marshalling compelling evidence. To the extent that world opinion is growing against the Gujarat government and chief minister Narendra Modi – the European Union has reportedly condemned the carnage as apartheid, with parallels to 1930s Germany – a British magistrate could conceivably initiate steps embarrassing to both the Vajpayee and Blair governments. When a Spanish magistrate asked the British courts to extradite the visiting former Chilean dictator Augusto Pinochet, the matter went all the way up to the Law Lords who finally upheld the legality of sending Pinochet to face trial in Spain. The evidence Judge Baltazar Garzon in Spain had against Pinochet was not much more detailed or precise than what human rights groups have collected on Mr Modi and his government. What saved the day for Pinochet was the political decision taken by then British home secretary Jack Straw, who vetoed the extradition on 'health' grounds. In the Gujarat case, Britain is sure to side with the Vajpayee government, saving Mr Modi the trouble of checking into a hospital with 'chest pain'. Nevertheless, the thought that he could

be questioned by investigators the next time he travels to Britain or Europe will probably weight heavily on his mind.

Whether countries like it or not, an international legal architecture to deal with gross violations has begun to emerge in the aftermath of the mass killing of civilians by all sides in the Bosnian and Croatian civil wars which tore apart the former Yugoslavia. Unfortunately, the framework is rather ad hoc. The International Criminal Tribunal for Yugoslavia (ICTY) established by the UN Security Council has proved to be politically biased, indicting former Yugoslav strongman Slobodan Milosevic for causing civilian death but not the commanders of NATO for deliberately killing civilians as part of their illegal war on Yugoslavia in 1999. The new International Criminal Court (ICC) will come into being in July 2002 despite the objection of the US, which fears its soldiers and leaders might one day be indicted for war crimes and crimes against humanity. India too is opposed to the ICC for largely the same reason. The growing assertiveness of national courts is yet another part of the emerging international legal framework for dealing with serious crimes. In India today, for example, a terrorist crime committed against an Indian citizen in another country is a prosecutable offence in our national courts. If the Vajpayee government finds the idea of a foreign court prosecuting Indian citizens – including BJP and VHP leaders – for the killings which have taken place in Gujarat distasteful, the best way to respond would be to ensure the guilty are prosecuted and punished here. The NHRC has asked for the CBI to probe certain massacre cases in Gujarat and for fast-track courts. At a minimum, the government must act on these demands.

The Times of India, 23 April 2002

CRIMINAL CLASS

If Gujarat is the great laboratory state of Hindutva and Narendra 'Newton' Modi its scientist-in-chief, then the 'experiments' being conducted there over the past month and a half are getting ever more macabre every passing day. The latest guinea pigs at the receiving end of Mr Modi's bone-chilling new 'science' are

schoolgoing children. The first step in this direction was Mr Modi's decision to somehow push through board exams in Gujarat, ignoring protests that with no sign of peace returning to the state – and thousands of Muslim refugees still marooned in relief camps unfit for human habitation – it would be a travesty to expect minority students to write their papers. Then came the careful segregation of the experimental 'subjects'. A physical relocation of examination centres from minority-dominated areas to those where students of the majority community would ostensibly feel secure. The 'rationale' was two-fold. First, a 'successful' conduct of the exams could be presented as empirical proof to the outside world that normality had at last been restored to Mr Modi laboratory. This in turn would pave the way for an even grander undertaking: To observe and record how the electorate of Gujarat might want to vote after lethal doses of communal hatred have been clinically injected into the body politic. Second, to tell the 'control group' of Mr Modi's experiment, the minorities, one more time that, rajdharma or no, the state government could not care less about their continuing plight.

However, the crucial final step in this enterprise – which some in Mr Modi's own peer group have codenamed 'the final settlement' – has just been unveiled. This has to do with the content of the exam papers. In the higher level English language exam of the Gujarat Higher Secondary Education Board on Monday, for instance, students were asked to 'rephrase' the conditional imperative, 'If you don't like people, kill them' by 'removing the "if"'. In another section of the same paper, they were invited to combine several disjointed sentences – describing 'the final solution' proposed by the Nazis vis-à-vis the Jews – into one sentence. As traumatised students in examination halls and horrified parents outside grappled with the genocidal morality of these 'problems' in grammar, the state education minister, Anandibehn Patel, could not understand what fuss was about. Rejecting the suggestion that the 'problems' had anything to do with the current pogrom in the state, the minister clarified that the exam paper had been 'set' in August last year. By way of a wholly detached conjecture – worthy of a true scientist – she wondered whether the intent behind the 'problems' was not simply to elicit a moral response from the students. It is of course no one's case that teenaged students, old enough to comprehend the world of adults, should be shielded from 'uncomfortable' moral and political doctrines. If anything, they must intellectually and morally engage with such ideologies of hate because that is what

they are faced within their own daily lives in Mr Modi's laboratory state. But to throw them at the students in a matter-of-fact and de-contextualised manner in a grammar exam suggests a perverted mindset that attaches little sanctity to human lives. These columns have long argued against the saffronisation of education. In Gujarat, what the students were confronted with this week was its next logical stage: Not just the communalisation but the criminalisation of education.

The Times of India, 24 April 2002

FUNDAMENTALLY WRONG

Acting speaker P. M. Sayeed has earned his place in the annals of Parliament for his landmark ruling that the Gujarat developments cannot be treated as a routine law and order problem with the jurisdiction of the state. Mr Sayeed correctly reminded the Union government of its responsibility to act under Article 355 of the Constitution which enjoins the Centre 'to protect the state against internal disturbance and ensure that government of every state is carried on in accordance with the provision of the Constitution'. The prime minister's response to this uncontestable ruling was that it might set a bad precedent; indeed that it had opened the possibility of parliamentary interventions in the law and order situations in different states. This is a disturbing inference. Surely Atalji is not implying that there would be repetitions of the kind of pogrom witnessed in Gujarat. For, it is not a law and order problem but a state-sponsored pogrom that Parliament has been called upon to debate. It is imperative that this distinction is understood. What happened in Gujarat is not what is commonly defined as a communal riot, which could arguably be treated as a law and order problem. The specific targeting of a community is an assault on the Constitution. To the extent that the Gujarat administration's behaviour undermines a basic pillar of the Indian democracy – its secular character – the state's constitutional machinery must be deemed to have broken down requiring the invocation of Article 356. Unfortunately, the Centre has not even brought pressure to bear on the Modi government under Article 355.

In truth, what is happening in Gujarat today is secessionism by a fringe extremist group which appears to be dominating the state administration. Which is why the issue before Parliament is not so much about Gujarat as about whether the Union government has interpreted correctly the nature and significance of the risks posed by Gujarat to the fundamentals of the country. What Gujarat experienced was a systematic use of violence by mobs belonging to the majority community against a largely unresisting and helpless minority population. This has been attested to by the National Human Rights Commission, the Minorities Commission, numerous NGOs and former IAS and IPS officers. Aside from the fact that this is an impermissible outrage on human rights, there are other considerations, starting with the failure of the police in a border state at a time the country's armed forces are mobilised in a confrontation with our neighbour. The prime minister and his party must also treat as ominous the adverse comments from all major democratic nations just when India needs their goodwill both in dealing with national security problems and in the context of generating an attractive investment climate. The most worrying aspect, which our prime minister and his supporters have clearly not factored in, is the creation of a fertile ground for terrorism to breed. Those who have been driven into refugee camps after watching unspeakable horrors committed on their women and children would be easy recruits for terrorism as has happened in Palestine. It is the duty of all parties constituting the NDA alliance to steer the dominant party towards a correct understanding of the threat to national security posed by Gujarat.

The Times of India, 25 April 2002

V. OPINION

WHEN THE 'SILENT MAJORITY' BACKS A VIOLENT MINORITY

SUMANTA BANERJEE

After every major communal riot, people like us who want to believe in the humane qualities of Indians go on reiterating the old cliché – the majority of Indians are secular-minded and all Hindus and Muslims believe in living together in peaceful harmony! We describe them as the 'silent majority', and pity them as mute observers of vicious riots. We interpret the riots as misdeeds perpetrated by a gang of criminals only, in the pay of a minority of unscrupulous politicians in league with a handful of fanatical religious groups. In our desperate urge to defend this wishful image of the 'silent majority', we pick upon every little scrap of news which may describe how in some isolated incident, a single brave Hindu individual or family saved a Muslim neighbour, or vice versa.

While surely admiring such courage, we forget that exceptions do not always make the rule. 'We refuse to face up to the fact that the silence of this 'silent majority' often amounts to acquiescence in communal riots, and can also provide a social sanction for their outbreak and continuation for days together. What is worse, from the role of passive assenters during communal riots in the 1960-70 period, a large number of the 'silent majority', both Hindus and Muslims, have graduated to the role of active participants in such riots during the last two decades. The recent holocaust in Gujarat shows that they are no longer silent. In their post-Godhra retaliation, the RSS-BJP axis succeeded in mobilising thousands from among this silent Hindu majority. As exposed by the media, Hindu rioters and killers came from educated and upper class

families – moving around in cars and with cellphones, while looting Muslim shops and burning Muslim families. Keshavram Kashiram Shastri, said to be a highly respected literary figure of Gujarat, and also the chairman of the Gujarat unit of the Vishwa Hindu Parishad, in an interview on a web site *(www.rediff.com/news/2002/mar/12train.him)* has proudly described them as '*kelvayela Hindu chokra*' (well-bred Hindu boys), whose acts cannot be condemned! It is significant that even the poor and the oppressed among this 'silent majority' – the tribal people – joined the rioters in the villages of Gujarat in the anti-Muslim pogrom.

It was not as if these people were coerced into supporting and joining the miscreants. It was not out of fear of the Sangh Parivar gangsters that the 'silent majority' of Hindus in Gujarat refrained from resisting the holocaust. It was out of loyalty and sympathy for these gangsters that they actively participated in the massacre. We have to face this stark fact, and understand the tilt in the mind of the Hindu 'silent majority' that had taken place during the last decade or so. It is not peculiar to Gujarat. We had noticed it in the early 1990s, when thousands from all over India joined Advani's 'rath yatra' to Ayodhya, and in every state that they passed through, unleashed anti-Muslim riots. The anti-BJP political organisations, ranging from the Congress to the socialists, from the CPI(M) to the Naxalites, failed to mobilise their ranks on the streets and halt this march. I remember, at that time I posed a question to my friends in the CPI, CPI(M) and some Naxalite groups: 'You can bring thousands of your ranks and followers at a moment's notice to the Delhi Boat Club for a public meeting. Why don't you organise them to form a human chain to prevent Advani's rath yatra?' While others prevaricated, a CPI(M-L) leader of the Liberation group was frank enough in his reply. He admitted that while his party's followers and sympathisers (the majority of whom are from the poor and depressed castes and tribals) would readily congregate at a public meeting on economic demands, and even face police bullets to fight for those demands, they would hesitate to respond to any call given by their party that may pit them against their religious establishment which upholds their faith. He then added the usual refrain. 'After all it's up to the state administration to prevent communal riots'.

Although many other Leftists may not agree with this assessment, I think this frank acknowledgement throws light on the pathetic state of mind that has paralysed the Left and secular circles

in India. It also illuminates the cobwebbed nooks and corners of the psyche of our 'silent majority'.

Triumph of Religious Mindset

When we look back at Advani's rath yatra and the abortive attempt on the Babri masjid in 1990, we are struck by two developments. One, all through Advani's march, there was no popular resistance, whether spontaneous or organised by political parties and social activists. Two, the only resistance came in the form of administrative actions – the arrest of Advani in Bihar by the Laloo Yadav government, and the shooting down of the Sangh Parivar vandals in Ayodhya under Mulayam Singh's government.

This reveals two trends. First, religious hatred seems to be the most cohesive agent that can make any mass movement successful in India, and any appeal to it by communal political parties disarms even the secular parties. Two, there is a growing tendency among the Left and secular parties to depend on the state administration, instead of mass education and mobilisation, to resist communalism. Such an abdication of the responsibility of political education along secular lines, can only sacrifice the 'silent majority' to the political indoctrination campaign of the religious fundamentalists – whether of the Hindu or the Muslim variety. The RSS-run Saraswati Shishu Mandirs and the Jamaat-run madrassas have filled the vacuum created by the disappearance of secular intervention in Indian civil society.

The unopposed march of Advani's rath yatra set the tone, and more and more Hindus felt emboldened to respond to the call of the Sangh parivar sadhus and leaders. They came out on the streets, and finally reached Ayodhya on the fateful day, December 6, 1992, to dance the 'tandava-nritya' around the destruction of the Babri mosque. The post-destruction riots in other part of India again were marked by the massive participation of middle class Hindus, including women (of the Shiv Sena in Maharashtra), in the looting and killing spree directed against the Muslims. Other Hindus who were still a bit ashamed of directly taking part in the mayhem betrayed their sneaking sympathy for the vandals by expressing all sorts of specious opinions, ranging from the suggestion that the religious faith of the majority community should be respected to the suspicion that the Muslims might be acting as Pakistani agents. During the last one decade since the Babri mosque demolition, the

paralysis of the Left and secular forces and the dithering of the successive governments at the centre, has only helped the Hindu fundamentalist terrorists to recruit more people to their ranks and win over larger sections of the Hindu 'silent majority' to their side. The latest pogrom in Gujarat, carried out with active support of Hindus of all sections, should be an eye-opener for all. Even in the Left citadel of West Bengal, the VHP succeeded in gathering a large number of Bengali kar-sevaks for their march to Ayodhya. It was not popular resistance from the villagers, but prompt police action that prevented them from carrying out a yagna' (which would have led to another communal conflagration) in rural Canning – a Left stronghold.

Deadly Hold of Religion

It is about time therefore that we take the blinkers off our eyes, and have a close look at the 'silent majority' in India – whether Hindus or Muslims. Leave alone secular-minded, they are not – and cannot be – even pluralistic in their religious outlook. The simple reason is that as long as they allow themselves to be controlled in their social life by the clergy and follow the antediluvian tenets of their respective religions, they will never be able to understand the values of a secular civil society, and accept the principle that people of different races, religions and political beliefs can live together peacefully with equal status in the same society. The religious beliefs and practices that their clergy dictate and which they blindly accept, have been traditionally socially divisive, creating pejorative terms like 'yavanas' used by Hindus to despise the Muslims and 'kafirs' used by Muslims to denounce the Hindus. They have created divisions even within their respective religious communities – caste conflicts among Hindus, Shia-Sunni discord among Muslims. But looming large over all these various inter-religious conflicts in India is the inter-religious war between Hindus and Muslims.

It is quite natural therefore that in continuation of that divisive tradition, historical religious war-cries like 'dharam-yudh' and 'jehad' can even today easily mobilise and unite large numbers in both the communities respectively – behind the Hindu terrorists over the Ayodhya issue or the Muslim terrorists over the Kashmir issue.

Let us not fudge the issue by using selective instances from the past. I appreciate the well-researched efforts made by eminent his-

torians in revealing that Shivaji employed Muslims in his army or that Akbar's commander was a Rajput Hindu king. But from these facts if we jump to the conclusion that Hindu-Muslim relations among the 'silent majority' were always hunky-dory in those days, we shall perhaps err on the side of simplistic generalisation, just as the Sangh Parivar's less erudite historians do. They also select instances like the demolition of some Hindu temples by Muslim rulers and ignore numerous cases of the granting of sites for temples by other Muslim rulers. From this selective approach, they claim that the entire Muslim rule in India was a history of unmitigated tragedy for the Hindu 'silent majority'.

A hundred years from now, some historians may try to prove that Muslims were living happily in India in the 1990s, by picking up the news item that the Toyota in which LK Advani led his rath yatra was driven by a Muslim, while ignoring the other news of the massacre of Muslims that his yatra instigated. While writing the history of India of 2002, some may try to prove that the BJP was an extremely tolerant party, by pointing out that it appointed a Muslim minister in the government that it was leading. They may further list the number of Muslims th, t had become BJP members. MLA's, corporation councillors, among others. Will the massacre of Muslims that was taking place at the same time in Gujarat under BJP rule feature in this future history?

To come down to brass tacks – past historical illustrations of certain policy decisions by the rulers, as well as the choices made by certain individuals among the ruled, need not reflect the actual state of relations at the grass roots between members of the two religious communities. For instance, Shivaji did indeed employ Muslim soldiers in his army, but they joined him as mercenaries. One doubts whether such acts ever set a model for a secular society, or a lasting Hindu-Muslim fraternity in Maharashtra. The Hindu Rajput king. Man Singh, chose to join Akbar, command his army and play a crucial role in subjugating both Akbar's Hindu and Muslim opponents in Bengal and other parts of India. But it is evident that he was just carrying out his role as an accomplice-cum-employee of the Mogul emperor and was not inspired by any ideology to foster Hindu-Muslim unity within a secular framework

Similarly, today in Indian politics, such accomplices and mercenaries can be found among Muslim politicians (as well as from other communities). Some among them are willing to serve the ruling BJP and its parent the Hindu Sangh Parivar – despite their ideologi-

cal crusade against Muslims – out of their sheer personal ambition, for instance, to get ministerial berths, or occupy a position of power. Some, who may be less opportunist, rationalise their support to the BJP by privately admitting that since the secular Constitution cannot protect them, they might as well pay 'protection money' to the saffron brigade in the shape of votes and other forms of support. These Muslims may be willing to heed the warning given to them by the RSS at its recent Bangalore session: 'Let the Muslims understand that their real safety lies in the goodwill of the majority... Winning goodwill means respecting, toleraing and cooperating with the majority community' (*The Indian Express*, March 18, 2002). In other words, they have to reconcile themselves to the status of second class citizens.

But this is reconciliation under coercion – and it also implies the demotion of the Muslims to an inferior position. This warning against Muslims by the Sangh Parivar is nothing new. Their activists lose no chance in reinforcing this by reminding them of their inferior status – as the 'kar sevaks' did by forcing them to shout 'Jai Shri Ram', and taking goods from Muslim peddlers without paying them at Godhra station. It is such provocations and aggressive acts, along with the long history of RSS-organised communal riots – which have been allowed to gather momentum by successive ruling parties both at the centre and states – that reinforce the hold of the clergy among the alienated and aggrieved Muslim populace, whom they try to rouse to a religious frenzy, telling them that Islam is in danger. As a result, some among them are gravitating towards aggressive retaliation, either spontaneously or through terrorist organisations. The Godhra incident is an indication of the trend. Whether instigated by the ISI or carried out by the local criminal elements in the area (who are reported to be mainly Muslims), what needs to be noted is the participation of a large number of Muslims, including women, in the assault on the train which carried the 'kar sevaks'.

The abiding hold of religion on the 'silent majority' in India is further bolstered by the growing trend of criminalisation and corruption that has totally vitiated the social environment. The abominable effluent of mass putrefaction is pouring out from every segment of society – spoilt sons of upper class bureaucrats, army generals, businessmen and politicians who can get away with murder; middle class clerks, traders and unemployed youth who have no qualms about cheating others in their struggle for existence on

principles of laissez-faire; industrial workers in the cities who do not think twice before joining the the lumpen proletariat to make a fast buck; farmers in the villages who are ready to snuggle up to armed gang-lords in order to grab land from their neighbours. These are the creepers and schemers, scrambling over one another, who form India's 'silent majority'. For them it is just another step from demanding a bribe to looting a shop, from threatening a neighbour to killing him. And when such acts become a part of a collective action sanctioned in the name of religion, they are assured of their protection by society. In Gujarat, for instance, the VHP has formed a panel of 50 lawyers to help release the Hindu rioters, and none of these lawyers will charge any fees.

We have seen the faces of these members of the 'silent majority' again and again – sometimes at the front of the riotous mobs, sometimes behind them not taking part but letting things go. They were there in 1984 – the Hindu upper and middle class youth, the Hindu dalit poor, who looted the shops and homes of their Sikh neighbours and killed them. They reappeared from their 'silent' background in 1992 when they went on a killing spree all over India – this time against Muslims. And now in Gujarat, Orissa, Haryana and other parts of India, members of this 'silent majority' have asserted by their behaviour that they are no longer willing to be 'silent'.

In the 1960–70 period, assertion by the 'silent majority' was manifest in mass movements on issues like rising food prices, curbs on democratic rights, etc, which drew together people from all religious communities. But today, whenever the 'silent majority' in India, whether Hindus or Muslims, become articulate, it seems to lead to communal riots. The change indicates the transformation in the psyche of the 'silent majority' as also the failure of the secular political parties to comprehend the transformation, and prevent it from spilling out in communal conflagration.

Bane of Religion

However much liberal and Left political and social scientists may try to explain every communal riot as a conspiracy by a bunch of politicians in league with religious fundamentalists, we cannot deny the fact that such riots take place on a soil fertile with religious prejudices and hatred. Administrative intervention like prompt police action can indeed prevent riots, but can never eradicate the

canker of religious communalism that has remained embedded, and is fast spreading, among the 'silent majority'.

Well-meaning secularists who hope to bring about peace among Hindus and Muslims by harking back to selective quotations from their respective scriptures in support of religious harmony appear to be barking up the wrong tree. All that remain of those scriptures are their corpses that have become breeding grounds of communal pestilence. Religions have lost the creative impulses that produced the best in art and culture in the past. We can never make the saints of the 'bhakti' and 'sufi' traditions walk again today. The literature that they created still remains a source of aesthetic enjoyment, but it was produced in a period which, to quote what Marx said about Greek culture, was the 'social childhood of mankind, where it had obtained its most beautiful development'. He added: "A man cannot be child again unless be becomes childish" (*A Contribution to the Critique of Political Economy*). In India today, the Hindu 'Ram-bhakts' in their madness to revive the mythology of a 'Ram-rajya', and the Muslim fundamentalists in their zeal to impose the laws of a bygone era, are not behaving like innocent children asking for the moon, but as hardened criminals determined to impose their will.

Watching them, one remembers the sad observation made by the French poet Paul Valery about the 'silent majority', which surrounded him during the second world, war – 'Man is human only in small numbers'. It goes back to Rousseau's concept of man being a 'noble savage'. Sadly enough, most of the time in history, the savage has prevailed over the noble. India today can provide a classic example of the superiority of savagery over nobility.

Economic and Political Weekly, 30 March 2002

VI. REPORTS

CPI (M) AND AIDWA DELEGATION'S FACT FINDING REPORT ON GUJARAT

A central delegation of the Communist Party of India (Marxist) and leaders of the All India Democratic Women's Association have been in Gujarat for the last three days from March 10 to 12 to express solidarity with the victims and to get first hand reports of the situation. The delegation included Member of Parliament and Central Committee member Subodh Roy, Central Committee member Brinda Karat, Subhashini Ali, Kiran Moghe, Mariam Dhawale accompanied by Arun Mehta, State Committee secretary and other members from the state. The delegation was in Ahmedabad and Godhra. One member had earlier visited Samalpur, Mehsana. We met and spoke to over a thousand people from the affected areas, senior officials of the Government, relief workers, heads of different institutions, NGOs, intellectuals. The delegation has recorded the statements of numerous people whom it met.

The delegation also met the Governor Shri S.S. Bhandari this morning and gave him a memorandum, a copy of which is enclosed. A few specific cases of atrocities recorded by the delegation have also been enclosed.

The delegation strongly condemns the inhuman and savage. attack on the Sabarmati Express on February 27 in which fifty eight people were killed, the majority being women and children. It was a black day for India. The delegation visited the site. It was absolutely horrified to see the terrible way that the bogey had been engulfed by flames. Inside the bogey even today there is important evidence. The delegation saw bags of food grains, stoves, jerry cans, indicating the possibility of the presence of material, which could

have been inflammable. However it is shocking that the bogey has not yet been cordoned off by the investigating agencies including the central investigating anti-terrorist squad. This could lead to tampering with evidence or placing new material in the carriage. The urgency with which the investigation into the terrible atrocity should be conducted seems to be absent in the State government's approach. The so-called commission of enquiry has not even started its work. It appears that the Government is more interested in public posturing than in proper investigation. The delegation found widespread disquiet among citizens about the nature of the enquiry as also the credentials of the individual heading it. This should be reconsidered.

The delegation strongly condemns the Chief Minister's justification of the violence in the name of 'reaction' to the February 27 atrocity. If this was true the first place to have been affected would have been Godhra where the atrocity actually occurred. But in the town the situation was well under control. The sequence of events in Godhra in comparison with what happened elsewhere makes it clear that swift and firm administrative action makes the crucial difference. The reality is that there was a wave of outrage throughout the country, legitimate anger and horror against those criminals who had perpetrated this inhuman crime. However, this anger was deliberately diverted to a communal carnage in which the Muslim community was the target, by an organised force in Gujarat. It was an example of State sponsored communal carnage which as organised by the Vishwa Hindu Parishad and leaders of the ruling party with many directly named by the victims including a brother of the State Home Minister who was apparently leading a mob in the Bapunagar area. In almost all areas there was police connivance. It is totally unacceptable that the fact that the killing, looting and burning went on unstopped for a full 72 hours should now be claimed as a an indication of the efficiency of the administration. In any case, contrary to the claims of the Chief Minister, the delegation met numerous delegations who were victimized on the 3rd, 4th and even the 5th of March. One of the worst rural attacks took place in Pandarvada village in Panchmahals district and surrounding areas from March 2 to 5. As has been reported even yesterday there were attacks in Chhota Udaipur.

The delegation learned with concern of reports [of a suggestion] to withdraw the army from where it has been posted to show that the situation has become 'normal'. This is far from the truth. There

is an acute sense of insecurity among the minority community, not least because of the continuing incidents of attack as also the total lack of action against those guilty. With coincidence of important religious observances of both communities at the end of the month, it is absolutely essential that the army be deployed and regularly in not only the cities but all affected rural areas. On no account should the army be withdrawn. The delegation is also shocked that even though the UP Government has placed restrictions on movements in Ayodhya the Gujarat Government has placed no such restrictions on the movements of so-called kar sevaks on trains running from Gujarat. This is an indication of the commitment of the Gujarat Government to its own dangerously communal agenda.

The delegation therefore believes that it is absolutely essential that the present Chief Minister be removed forthwith. This is a minimum step to ensure that the rule of the Constitution returns to Gujarat.

CPI (M) and AIDWA delegation

MEMORANDUM TO THE GOVERNOR OF GUJARAT

March 12 2002

Communist Party of India (Marxist)
27–29 Bhaivir Singh Marg
New Delhi

Camp Office: Prarthna Samaj,
Raikhad,
Ahmedabad

To
The Governor
Raj Bhavan
Gandhinagar
Gujarat

Dear Rajyapalji,

A CPI (M) delegation along with leaders of the All India Democratic Women's Association have visited various relief camps and affected areas in Ahmedabad and Godhra on March 10, 11 and 12. The team was comprised of Member of Parliament and Central Committee member, Subodh Roy, Central Committee member Brinda Karat, Subhashini Ali, Kiran Moghe and Mariam Dhawale

accompanied by Arun Mehta, State Secretary, CPI (M). The delegation met about a thousand people including citizens living in affected areas, victims of the communal carnage, administrative officials, members of various NGOs and intellectuals. It is difficult to recall any parallel with what has happened in Gujarat since March 27. It can only be described as State sponsored violence directed against a particular community. We have also been shocked to hear of the Chief Minister's claim that the violence has been 'controlled within 72 hours' – the implication is that this is a reflection of efficiency when in fact seventy two hours is itself a long enough period to destroy a whole community spread over the State. Moreover the violence continued at least a week after the initial incidents. The official estimates of the violence are a gross underestimation both in terms of the numbers killed, injured or the extent of property looted and burnt.

We give below some of the main findings of the delegation:

1. The Godhra incident on 27th February has outraged the whole country. Our delegation visited the site of the terrible atrocity committed on passengers of the Sabarmati Express. It is reported there is an anti-terrorist squad investigating the incident and a commission of enquiry has also been set up. The delegation found widespread disquiet amongst citizens about the nature of the enquiry as also the credentials of the individual heading it. His past record shows a communal bias therefore his appointment requires reconsideration.

   Secondly, the delegation was shocked to find that the investigating agencies involved have made no effort to protect the crucial evidence in the railway carriage itself. There is easy access to the affected carriage which means that valuable evidence can be tampered with. For example, we saw quantities of foodgrains, stoves and jerry cans in the compartment which points to the possibility of the presence of inflammable material inside the compartment. It is essential to immediately cordon it off. According to the information we gathered the urgency on the part of the State Government required to enquire into an atrocity of this magnitude is completely absent.
2. We were impressed by the fact that the situation in Godhra town itself was well under control except for a few incidents of arson and looting in the morning of the 27th. This challenges the controversial, and to us highly objectionable, justification by the Chief Minister of Gujarat that the communal carnage, arson

and looting that occurred in the State particularly in the capital. Ahmedabad, was only a 'spontaneous reaction' to the Godhra incident. If this was true, the first place to have been affected would have been Godhra where the incident actually occurred. The sequence of events in Godhra and comparison with what happened elsewhere, makes it very clear that swift and firm administrative action made the crucial difference.

3. We would like to stress this point as it substantiates the already strong prima facie evidence available from the patterns of violence in Ahmedabad and later in other parts of the State. The violence was in fact planned, organised and led by organisations like the Vishwa Hindu Parishad backed by the State administration including the police. The most widely publicised example of this was the burning to death of former MP Ehsan Jafri in spite of the fact that he had repeatedly informed senior administrative officials that his house and colony had been surrounded by an ever-increasing, violent and well-armed mob. Another example is from Naroda Patiya where some of the worst incidents took place including the burning of women and children. The police refused to listen the repeated appeals for help of the Muslim residents. They arrived only after the mayhem. The most telling examples were those where even Muslim dominated areas were razed to the ground. Areas like Bapu Nagar, Sone ki Chali, Madina Chali, Ansar Nagar, Akbar Nagar etc., all areas neighbouring each other, were cordoned off and then attacked by huge mobs that burnt and looted all the shops and most commercial establishments and many houses. Religious structures like a mosque and madrassa were burnt, broken and desecrated. It is also a commentary on the concept of justice that although it was the Muslim community which has been targeted they also have been the victims of police atrocities and firing.
4. The brutality of the killings has been shocking, the number of deaths appalling. Women, children and infants have been killed in the most vicious fashion. Many have been burnt to death. We have also heard reports of cases of rape. Others have seen their family members being burned before their eyes. The delegation has firsthand witness accounts from the traumatised survivors. The delegation was extremely disturbed to find the [number] of children who have been separated from their parents. The children in particular have been extremely traumatised and require urgent help.

In such a situation it is incumbent on the administration to immediately ensure that the criminals are arrested and charged so that the victims can at least feel that justice is being done. The delegation, however, has been shocked to find no action is being taken in this direction. Relatives of those killed are today in refugee camps, many of which are far from their areas of residence. They are either too frightened or unable to reach the thanas where their reports can be registered. Members of the delegation were told by the District Administration that the Police Commissioner had made arrangements to post police officers to each camp to file the complaints but this has not been done anywhere. Victims from Akbar Nagar which was situated just behind the H division ACP office are presently in the Bapu Nagar camp just across the road. They are able to go and file their FIRs but while there are more 300 FIRs to be filed, they are being registered at the rate of about 20 a day. What this means is that evidence of crimes will be destroyed, the number of dead will never be officially accepted, compensation will be denied and the criminals will go scot-free. Even worse, in cases where the police has been forced to register FIRs in which BJP, VHP and Bajrang Dal leaders, including the brother of the State Home Minister, have been named no arrests have been made.

5. The loss of property has been staggering and very widespread. All over the city, on the highways and all the route to Godhra, the delegation saw that hotels, restaurants, shops, factories, carts, houses, workshops, petrol pumps, trucks, vehicles, homes and religious establishments of Muslims had been targeted and systematically destroyed. While this large-scale and systematic destruction could not have occurred without State complicity, it reveals that the economic back-bone of a whole community has been broken and this cannot but have disastrous consequences. Not only has arson and loot been resorted to but, because of administrative inaction, all traces of many of these establishments and structures are being removed; buildings are being completely razed and the empty spaces levelled out as if the building that once occupied them never existed as has been done in Ramol. This will not only make compensation impossible to claim but will actually lead to expropriation of the property of an entire community.

Religious structures like mosques have, in some place, been converted into temples and in others have had all traces removed.

The worst example of the latter is the tomb of the poet, Wali Gujarati, revered by all communities, that has not only been destroyed and levelled but which has had a paved road built over it. These are direct attacks on the constitutional right to freedom of worship and on our composite culture.

6. The delegation visited the following relief camps in Ahmedabad: Shah Alam, Bapu Nagar Aman Chowk, Sunderamnager, Juhapura, Kankariya Municipal Schools 7 and 8; and in Godhra: Iqbal Primary School. While the camps had started functioning on the 28 February, the GR on relief was issued only on March 5 giving details of the ration to be issued to each person in the camps but except for the camp in Godhra which has been receiving the rations, even five days later the order has not been implemented. The Shah Alam camp where there are more than 8000 people has received only 1500 kg of rice, some tins of cooking oil and a few hundred packets of powdered milk when this falls short of even its daily requirements. The Bapu Nagar Aman Chowk camp had also received 1500 kg of rice only once. The other two camps had received no ration from the Government at all.
7. It is a measure of the complete callousness of the State Government that even ten days after the camps started not a single Minister or senior official has visited the camps which are in dire need of immediate and massive help.

When the delegation visited the Kankaria camp, there was a banner on the gate proclaiming it to be a Government relief camp and the organisers said that since March 4 they had been receiving their daily requirements from the Government. This camp is inhabited by 175 Hindu families. This camp is mainly of poor scheduled caste families who reported that 40 of their houses have been burnt. Urgent action is required for their rehabilitation. It is good that these poor people are at least receiving some attention including a visit from the Chief Minister. Why can the other camps not receive similar attention?

The other camps required medical help and supplies. The delegation met scores of injured including women and children. But doctors are few in number and stayed for only two hours and did not include any lady doctors although there are many women in the camps many of whom are pregnant, ill, wounded or suffering from burns. The toilet facilities provided by the Municipal Corporation are highly inadequate and there has

been no effort made by the administration to clean the camps. The danger of an epidemic breaking out cannot be ruled out. The delegation was witness to the tremendous work being done by a number of voluntary organisations and individuals apart from the help of the community institutions, without whom the plight of the over one lakh displaced persons presently in the camps all over Gujarat would have been unimaginable.

8. All the points raised above need to be acted upon immediately by the State Government. The priority, however, has to be strong steps to stop the violence which is still being spread in an organised manner to the rural areas. In many districts of the State like Kheda. Dahod, Panchmahal, etc., homes of Muslims in villages are being burned down and all the Muslim villagers who are able to save their lives are forced to take shelter in camps at the taluka headquarters. In the camp and in the General Hospital at Godhra, the delegation met survivors from villages like Randhikpur (Dahod District). Pandharwada (Panchmahals). All the Muslims have had to leave their land and shops in these villages. Not only have members of their families been subjected to the most unspeakable atrocities including rape of women but many of them have been hunted down by communally inflamed people. At least one family from Randhikpur had 16 of its members, including a 2-day-old infant girl, murdered several kilometres away from their village, four days after they had been forced to run away by people who had followed them in a vehicle. As late as on March 5, the Muslims of Anjanwa village (Panchmahals district) were attacked. In the Godhra General Hospital, the delegation met Maksuda Bibi who had been attacked and thrown into a well with 4 other women and 2 children. She was the only survivor. This diabolical process of 'cleansing' rural areas of their Muslim population has still not ended. Even on the 10th March there were reports of attacks being carried out in villages in Chhota Udaipur District.

Obviously, in such a situation, even the concept of rehabilitation becomes a mockery. It is, therefore, imperative that the violence be stopped at all costs. More army and para-military personnel are urgently required and their deployment in all sensitive areas must be ensured. In the coming days, apart from the tension that is escalating because of uncertainty and fear about what will happen on March 15 in particular and that has

been generated by the VHP on the Ayodhya issue in general, important religious events like Moharram and Holi are also going to take place towards the end of the month. In view of all this, the presence of the army and para-military forces becomes essential to the maintenance of peace. The delegation was horrified to learn that the State government is actually thinking of removing the army from sensitive areas. This will be nothing less than an open invitation for genocide. It is also shocking that kar sevaks are being allowed to proceed towards Ayodhya even though the UP Government has declared all such movement illegal. Such movement should be immediately stopped.

9. The Government of Gujarat has completely failed to discharge its duty of ensuring law and order, peace and justice. Its Chief Minister, Narendra Modi, is intent on pursuing his own agenda of Hindutva for political gains unmindful of the cost that this entails. In fact, he has been justifying all the horrors that have occurred since 27 March in ways that make his complicity in their perpetration only too obvious. When you were Governor of Bihar, after one attack in one village in which valuable lives were lost, you had recommended removal of the State government and imposition of President's rule. In a situation in which thousands have been killed in acts of State-sponsored terrorism and carnage and are still continuing to be killed, the least that can be done is the removal of the present Chief Minister Narendra Modi. This is the very least which must be done to ensure that the writ of the constitution of India runs in Gujarat.

Citizens of this country have been concerned and also disturbed at your deafening silence on the terrible events in Gujarat.

Yours sincerely,

Subodh Roy (Member of Parliament, Lok Sabha),
Brinda Karat, Subhashini Ali, Kiran Moghe, Mariam Dhawale, Arun Mehta

Some cases noted by the delegation

1. A young woman of about 21 years named B... w/o Yaqub Patel from Randhikpur village (district Dahod) is currently staying in the Iqbal Primary School Camp, Godhra. She told us that all the Muslim houses in her village were attacked by villagers and outsiders and she managed to run away with several of her family members. She was accompanied by her mother, her 3-year-old baby girl Saliha, her sisters Mumtaz and Munni, her brothers Irfan and Aslam, her maternal uncle Majeed, two other father's sisters Sugra and Amina, one of their husbands, Yusuf, Amina's son, and three daughters, Shamim, Mumtaz and Medina and Shamim's son Husain. B... is five months pregnant and her cousin Shamim was near the end of her term when they fled their village.

   At first, they escaped to Chundagi village which was 5–6 km away and took shelter with Bijal Damor. Then they were asked to leave since it was not safe and they walked to Kuajher where they were given shelter in a mosque. Here Shamim was delivered of a baby girl by a midwife but they were asked to leave soon afterwards. They then started walking till they reached Kudra village. Here some Adivasi Naikas took pity on Shamim's condition and kept them in their huts. Although they were very poor people, they even gave them clothes to wear. After this, they were asked to leave this place too but two of the adivasis accompanied them to Chhapadvad village and left them there. From here they were going towards Panivela village but they were overtaken by people from their own village who had been pursuing them in a vehicle. At the time, they were in quite a remote, hilly place. They were stopped. B... was raped by three of the men. She says that the other younger women were also gang-raped. Her child was snatched away from her and killed and then all of them were attacked. She was also left for dead with all her other family members who had all been killed, including the newborn infant. They were covered with stones. She lay there the whole night and most of the next day when she was found and rescued by the police from Limkheda Police Station. The other bodies were left there and she was brought to Limkheda P.S. and then taken to the camp. From here she was admitted in the General Hospital, Godhra. She was medically examined and her statement was recorded. She has named the people who killed her family members and those who raped her.

The doctors at the hospital confirmed the fact that she had been examined and that they had found evidence of intercourse and injuries. They also said that the police had not yet taken the evidence of forensic examination. B....'s father and husband have been traced to another camp at Dahod and her brother, Saeed, is with her in Godhra. Her five-month old foetus is still alive.

2. At the General Hospital, Godhra, we met Maqsuda Bibi in the 'injuries' ward. She is from Anjanwa Village, District Panchmahals. She told us that Muslim homes in her village were attacked on the 5th of March. She along with her 2 children, Afzal and Imran, were wounded and thrown in a well along with 4 other women. She was the only survivor who was rescued by the police the next day. The well belonged to the Sarpanch Jaisingh Dona Ghori.
3. At the General Hospital, Godhra, we met Sakina Bibi Sayyad, 55 years old. She was sitting on her bed in a dishevelled condition. She had sword wounds on her breasts, both hands and neck. She knows nothing about the fate of her five sons and three daughters and is, at the moment, completely disoriented.
4. At the General Hospital, Godhra we met Yusufbhai from Pandharvada, District Panchmahals. The mob that attacked their houses inserted an iron rod in his mouth and injured him very severely. He is lying on his bed with his small children, unable to speak with the wound still bleeding.
5. The nature of the violence can be understood by the fact that a National Handicrafts exhibition organised by the Government was attacked because many of the stalls were owned by Muslims. Many of them were from Bhagalpur, Bihar. Of these, three, Abdulla, Rehmatualla and Saidulla are dead and two are missing.
6. One of the members of the delegation visited the camp at Vizapur in Mehsana district. Victims from Sardarpur village are present. They said that on the Id night, the houses of 84 Muslim families were attacked and totally burnt. Many of the women and children took shelter in the only 'pucca' house. This was then doused with petrol and set on fire.

22 people died. The total number of dead is 54. The survivors were rescued by the police and brought to the camp. There are 1000 people in the camp including 400 students from the Visnagar Hostel. The victims said that their standing crops

and bore-wells had been completely destroyed. They also said that some dalit families who had given them protection have also been driven out of the village.

7. At the Juhapura Sankalit Nagar Camp, we met Rehmunissa from Naroda Patiya. She told us that she started her labour pains and delivered her baby while the attacks on her neighbourhood were taking place on the 28th February. She was all alone as most of the people around her had run away and among them was the neighbourhood midwife. They had been told that some vehicles had been sent to take them away to safety. The midwife returned when this did not happen and she was persuaded to cut the umbilical cord. After this, Rehmunissa ran 7 times to the entrance of her chawl and back in that condition, in the same clothes, clutching her newborn infant, whenever the news came that help was at hand. Finally, the vehicle came and she was brought to the camp.
8. The distance from Ahmedabad to Godhra is about 100 km. On the way back from Godhra, our delegation tried to keep count of all the destruction of property – all belonging to Muslims – that could be seen on either side of the highway.

Between Godhra and Timba Road (111 shops, 3 houses, 2 trucks)

Timba Road (a mosque, 23 establishments in the main market, a large building, 4 railway quarters)

Between Shivalaya and Ambava (2 trucks, some 'Khokhas')

Ambava (11 stores/galas 1 house)

Thasra (2 houses and 1 timber godown)

Dakor (16 galas, 2 large houses, several cars)

Alina (10 houses)

Mirzapur (1 house)

Mehmadabad (8 galas, Bhagyodaya Hotel, 1 mazar, 1 petrol pump, 1 hotel, 4 handcarts, 4 houses)

Near Ramod Police Station (Sarvottam Hotel)

Ramol (innumerable shops and houses razed to the ground; several large factories; garages; petrol pumps; Supreme Hotel and Satkar restauant; Sarvodaya Hotel)

12 March 2002

Final Order on Gujarat Dated 31 May 2002

NATIONAL HUMAN RIGHTS COMMISSION

SARDAR PATEL BHAVAN
NEW DELHI

Name of the complainant: Suo motu
Case No.: 1150/6/2001-2002
Date: 31 May 2002
CORAM
Justice Shri J.S. Verma, Chairperson
Justice Shri K. Ramaswamy, Member
Justice Smt Sujata V. Manohar, Member
Shri Virendra Dayal, Member

PROCEEDINGS

1. These Proceedings of the Commission in respect of the situation in Gujarat are in continuation of those recorded by the Commission on 1 and 6 March 2002 and 1 April and 1 May, 2002.

Proceedings of 1 April 2002; transmittal of Preliminary Comments and Recommendations, together with Confidential Report, to Government of Gujarat, Ministry of Home Affairs, Government of India and Prime Minister

2. It will be recalled that, in its Proceedings of 1 April 2002, the Commission had set out its Preliminary Comments and Recommendations on the situation. It had also directed that a copy of those Proceedings, together with a copy of the Confidential Report of the team of the Commission that visited Gujarat from 19-22 March 2002, be sent by the Secretary-General to the Chief Secretary, Government of Gujarat and to the Home Secretary, Government of India, requesting them to send the response/comments of the State Government and the Government of India within two weeks. In view of the visit of the Hon'ble Prime Minister to Gujarat that had been announced for 4 April 2002, the Chairperson was also requested to send a copy of the Proceedings and of the Confidential Report to him.

Proceedings of 1 May 2002; response of Government of Gujarat, dated 12 April 2002 to Preliminary Comments and Recommendations of 1 April 2002

3. In its Proceedings of 1 May 2002, the Commission noted that the Government of Gujarat had sent a reply dated 12 April 2002, but that the Ministry of Home Affairs had sent an interim response, dated 16 April 2002, seeking time until 30 April 2002 to send a more detailed reply. However, no further reply had been received from the Ministry of Home Affairs as of the time of recording the 1 May Proceedings.

Lack of response to Confidential Report

4. In the same Proceedings, the Commission further noted that the reply of the Government of Gujarat did not respond to the Confidential Report of the Commission's team, referred to in its Proceedings of 1 April 2002. The Commission also observed that a specific reply was sought to that Report in order to enable further consideration of the matter, in view of the allegations made, which are mentioned in that Report. While noting that, ordinarily, it would be in order for the Commission to proceed with the further consideration of this matter with the available reply alone while treating the contents of the Confidential Report as unrebutted, the Commission deemed it fit to give a further opportunity of two weeks to reply to the specific matters mentioned in the Confidential Report. The Ministry of Home Affairs, Government of India was also given a further two weeks for its detailed reply, which was to cover inter alia the contents of the Confidential Report that had already been sent to it.

Response of Ministry of Home Affairs, Government of India to Preliminary Comments and Recommendations of 1 April 2002 and to the Confidential Report

5. Later in the day on 1 May 2002, after it had recorded its Proceedings, the Commission received a further response from the Ministry of Home Affairs, Government of India. The covering letter, dated 1 May 2002, stated that the response related to 'the Proceedings of the Commission dated 1st April 2002 and the recommendations made therein in so far as it concerns the Central Government.' The response added that 'the report of the visit of the team of the National Human Rights Commission to Gujarat between 19th and 22nd March, 2002 which was

sent in a sealed cover has also been examined and since all the issues mentioned therein pertain to the Government of Gujarat, they have been requested to send their comments on the above report directlv to NHRC.'

Failure of the Government of Gujarat, until the date of recording the present Proceedings, to respond to the Confidential Report

6. Despite the above-mentioned response of the Government of India, and the extension of time until 15 May 2002 that was granted by the Commission to the Government of Gujarat to respond to the Confidential Report, no response has as yet been received from the State Government to that Report. This is so despite repeated oral reminders by the Commission and assurances by the State Government that a response would soon be forthcoming.

7. In these circumstances, the Commission is now adopting the following procedure:

(A) It will offer additional Comments upon the response of the Government of Gujarat of 12 April 2002, in respect of the Preliminary Comments of the Commission of 1 April 2002;

(B) It will not wait any longer for the response of the Government of Gujarat to the Confidential Report that was sent to it on 1 April 2002, enough time and opportunity having been provided tó the State Government to comment on it. Instead, the Commission now considers it to be its duty to release that Confidential Report in totality. It is, accordingly, annexed to these Proceedings as *Annexure 1*. The Commission had earlier withheld release of the Confidential Report because it considered it appropriate to give the State Government a full opportunity to comment on its contents, given the sensitivity of the allegations contained in it that were made to the team of the Commission that visited Gujarat between 19-22 March 2002. As and when the response of the State Government to that Confidential Report is received, the Commission will also make that public, together with the Commission's views thereon.

(C) It will make a further set of Recommendations developing on its earlier recommendations, in the light of the reply received from the Government of Gujarat dated 12 April 2002 and from the Ministry of Home Affairs, Government of India, dated 1 May 2002.

8. In proceeding in this manner, the Commission will also keep in mind, in particular, the reports that it has been receiving from its Special Representative in Gujarat, Shri P.G.J. Nampoothiri, a former Director-General of Police of that State, who has been requested by the Commission to continue to monitor the situation and to report on developments. The State Government has been advised of Shri Nampoothiri's responsibilities and it has informed the competent officers of the Government of Gujarat of this arrangement in writing. The Commission will, in addition, continue to be mindful of the extensive coverage of developments relating to Gujarat in the print and electronic media.

A. Comments of the Commission on the response of the Government of Gujarat of 12 April 2002, in respect of its Preliminary Comments of 1 April 2002

Failure to protect rights to life, liberty, equality and dignity

9. In its Preliminary Comments of 1 April 2002 the Commission had observed that the first question that arises is whether the State has discharged its primary and inescapable responsibility to protect the rights to life, liberty, equality and dignity of all of those who constitute it. Given the history of communal violence in Gujarat, a history vividly recalled in the report dated 28 March 2002 of the State Government itself, the Commission had raised the question whether the principle of 'res ipsa loquitur' ('the affair speaking for itself') should not apply in this case in assessing the degree of State responsibility in the failure to protect the rights of the people of Gujarat. It observed that the responsibility of the State extended not only to the acts of its own agents, but also to those of non-State players within its jurisdiction and to any action that may cause or facilitate the violation of human rights. The Commission added that, unless rebutted by the State Government, the adverse inference arising against it would render it accountable. The burden of proof was therefore on the State Government to rebut this presumption.

10. Nothing in the reports received in response to the Proceedings of 1 April 2002 rebuts the presumption. The violence in the State, which was initially claimed to have been brought under control in seventy two hours, persisted in varying degree for over two months, the toll in death and destruction rising with the passage of time. Despite the measures reportedly taken by

the State Government, which are recounted in its report of 12 April 2002, that report itself testifies to the increasing numbers who died or were injured or deprived of their liberty and compelled to seek shelter in relief camps. That report also testifies to the assault on the dignity and worth of the human person, particularly of women and children, through acts of rape and other humiliating crimes of violence and cruelty. The report further makes clear that many were deprived of their livelihood and capacity to sustain themselves with dignity. The facts, thus, speak for themselves, even as recounted in the 12 April 2002 report of the State Government itself. The Commission has therefore reached the definite conclusion that the principle of 'res ipsa loquitur' applies in this case and that there was a comprehensive failure of the State to protect the Constitutional rights of the people of Gujarat, starting with the tragedy in Godhra on 27 February 2002 and continuing with the violence that ensued in the weeks that followed. The Commission has also noted in this connection that, on 6 May 2002, the Rajya Sabha adopted with one voice the motion stating

'That this House expresses its deep sense of anguish at the persistence of violence in Gujarat for over six weeks, leading to loss of lives of a large number of persons, destruction of property worth crores of rupees and urges the Central Government to intervene effectively under article 355 of the Constitution to protect the lives and properties of the citizens and to provide effective relief and rehabilitation to the victims of violence.'

The Commission has further noted, in this connection, that it has proven necessary to appoint a Security Advisor to the Chief Minister, to assist in dealing with the situation. The appointment implicitly confirms that a failure had occurred earlier to bring under control the persisting violation of the rights to life, liberty, equality and dignity of the people of the State.

Failure of intelligence

11. The response of the State Government of 12 April 2002 also fails to dispel the observation made by the Commission in its Preliminary Comments that the failure to protect the life, liberty, equality and dignity of the people of Gujarat itself stemmed from a serious failure of intelligence and a failure to take timely and adequate anticipatory steps to prevent the initial tragedy in Godhra and the subsequent violence.

12. The report of the State Government of 12 April 2002 asserts that the State Intelligence Bureau 'had alerted all Superintendents and Commissioners of Police as early as 7 February 2002 about the movement of kar sevaks from the State by train on 22 February 2002 to Ayodhya. Besides the State Intelligence Bureau had also intimated UP State Police authorities on 12, 21, 23, 25 and 26 February 2002 about the number of kar sevaks who had left the State for Ayodhya by train.' However, 'specific information about the return journey of kar sevaks by the Sabarmati Express starting from Ayodhya was received only on 28 February 2002 at 0122 hrs i.e., after the incident had taken place on 27 February 2002 morning.'
13. It appears incomprehensible to the Commission that a matter which had been the subject of repeated communications between the Gujarat Intelligence Bureau and the UP State Police as to the out-going travel plans of the kar sevaks, should have been so abysmally lacking in intelligence as to their return journeys. This is all the more so given the volatile situation that was developing in Ayodhya at that time and the frequent reports in the press warning of the dangers of inter-communal violence erupting in Ayodhya and other sensitive locations in the country. In the view of the Commission, it was imperative, in such circumstances, for the Gujarat Intelligence Bureau to have kept in close and continuing touch with their counterparts in Uttar Pradesh and with the Central Intelligence Bureau. The inability to establish a two-way flow of intelligence clearly led to tragic consequences. The Commission must therefore also definitively conclude that there was a major failure of intelligence and that the response of the State Government has been unable to rebut this presumption.

Failure to take appropriate action

14. The failure of intelligence was, in the opinion of the Commission, accompanied by a failure to take appropriate anticipatory and subsequent action to prevent the spread and continuation of violence. The Preliminary Comments of the Commission had observed, in this connection, that while some communally-prone districts had succeeded in controlling the violence, other districts – sometimes less communally prone – had succumbed to it. The Commission had therefore pointed to 'local factors and players' overwhelming the district officers in certain instances,

but not in others, and had asked the State Government as to who these players were in the situations that had gone out of control. Such information had been sought from the State Government particularly since there were widespread reports of well-organized persons, armed with mobile telephones and addresses, singling out certain homes and properties for death and destruction. The reports had also implied that public servants who had sought to perform their duties diligently and to deal firmly with those responsible for the violence had been transferred at short notice to other posts without consulting the Director-General of Police and, indeed, over his protests.

15. The reply of the State Government of 12 April 2002 does not answer these questions. Instead, it refers to the 'gravity of the communal incident which provoked the disturbances' and the role of the electronic media. While there can be no doubt whatsoever about the gravity of the Godhra tragedy, it is the considered view of the Commission that that itself should have demanded a higher degree of responsiveness from the State Government to control the likely fall-out; especially in the wake of the call for the 'Gujarat bandh' and the publicly announced support of the State Government to that call. Regrettably, immediate and stringent measures were not adequately taken; the response of the Government thus proved to be unequal to the challenge, as vividly illustrated by the numbers who lost their lives, or were brutally injured or humiliated as the violence spread and continued.

Failure to identify local factors and players

16. As to the 'local factors and players', in respect of whom the Commission had sought specific information, the reply of the State Government is silent, taking instead the position that this is a 'matter covered by the terms of reference of the Commission of Inquiry appointed by the State Government.' The Commission is constrained to observe that it found this answer evasive and lacking in transparency, not least because of the numerous eye-witness and media reports – including allegations specifically made to the Commission and communicated to the State Government – which identify and name specific persons as being involved in the carnage, sometimes within the view of police stations and personnel. The reply makes no effort whatsoever to rebut the allegations made against such persons, or to

indicate the action taken by the State Government against those specifically named for participating in the egregious violation of human rights that occurred, or for inciting the acts of violence that resulted in murder, arson, rape and the destruction of lives and property.

Pattern of arrests

17. In this connection, the Commission has made a careful analysis of the pattern of arrests indicated to it by the State Government in its report of 12 April 2002. That report states that a total number of 27,780 arrests had been made, involving both crimes and as preventive detention. The response does not, however, make clear how many arrests, preventive or otherwise, were made in the worst afflicted areas of the State within the first 72 hours of the tragedy in Godhra, nor the community-wise break-up of those arrested in those areas in the immediate aftermath of Godhra, though such data would have enabled a proper scrutiny of the charge of discrimination brought against the State Government in respect of its conduct in the critical hours immediately after the Godhra tragedy and the call for the 'bandh'. This lack of transparency seriously undermines the response. The report states instead, that, in relation to various offences, 11,167 persons were arrested, of whom 3,269 belonged to the 'minority' community and 7,896 to the 'majority.' As regards the 16,615 preventive arrests, it mentions that 13,804 belong to the 'majority' community and 2,811 to the 'minority.' The questions that arise, however, are when and where were the arrests made, who were arrested and for how long were they kept in custody, and were those who were specifically named arrested. The Special Representative of the Commission, Shri Nampoothiri, has observed in a report to the Commission dated 24 April 2002 that 'almost 90% of those arrested even in heinous offences like murder, arson, etc., have managed to get bailed out almost as soon as they were arrested.' Reports have also appeared in the media that those who have been released on bail were given warm public welcomes by some political leaders. This is in sharp contrast to the assertion made by the State Government in its report of 12 April 2002 that 'bail applications of all accused persons are being strongly defended and rejected' (sic).

Uneven handling of major cases

18. The analysis made by the Commission of the State Government's reply of 12 April 2002 also illustrates the uneven manner in which some of the major cases had been handled until that date. In respect of the Godhra incident, where 59 persons were killed, 58 persons had been arrested and all were in custody (54 in judicial custody, 4 in police remand). In respect of the Chamanpura (Gulbarga Society) case, where some 50 persons including a former Member of Parliament were killed, 18 persons had been arrested (17 were in judicial custody, 1 was released by the juvenile court). As regards Naroda Patia, where some 150 persons were reportedly killed, 22 had been arrested, but the response is silent in respect of whether they had been released on bail or were in custody. In respect of the Best Bakery case in Vadodara, where some 8 persons were reportedly killed, 12 accused persons were in judicial custody. However, no details were given about the status of the 46 persons arrested in the Sadarpura case of Mehsana District where some 28 persons were reportedly killed.

Distorted FIRs: 'extraneous influences', issue of transparency and integrity

19. The Commission had recorded in its Proceedings of 1 April 2002 that there were numerous allegations made both in the media and to its team that FIRs in various instances were being distorted or poorly recorded, and that senior political personalities were seeking to influence the working of police stations by their presence within them. The Commission had thus been constrained to observe that there was a widespread lack of faith in the integrity of the investigating process and the ability of those conducting investigations. The Commission had also observed that according to the State Government itself, 'in Ahmedabad, looting was reported in well-to-do localities by relatively rich people.' Yet the State Government had not identified who these persons were.
20. The report of the State Government of 12 April 2002 once again fails to make the necessary identification of these persons. It also fails to rebut the repeatedly made allegation that senior political personalities – who have been named – were seeking to influence the working of police stations by their presence within them. It states that the Government 'fully accepts the

view that there should be transparency and integrity in investigating instances of death and destruction' and adds that 'this is being taken care of'. The Commission's Special Representative, Shri Nampoothiri, however, has reported to the Commission on 24 April 2002 in a totally opposite vein. He has stated that, in respect of most of the 'sensational cases', the FIRs registered on behalf of the State by the police officers concerned, the accused persons are shown as 'unknown'. His report adds that 'this is the general pattern seen all over the State. Even when complaints of the aggrieved parties have been recorded, it has been alleged that the names of the offenders are not included. In almost all the cases, copies of the FIRs which the complainant is entitled to, has not been given.' There has been widespread public outrage, in particular, in respect of atrocities against women, including acts of rape, in respect of which FIRs were neither promptly nor accurately recorded, and the victims harassed and intimidated. The Commission must conclude, therefore, that until the time of Shri Nampoothiri's 24 April 2002 report, the victims of the atrocities were experiencing great difficulty in having FIRs recorded, in naming those whom they had identified and in securing copies of their FIRs. Further – for far too long – politically-connected persons, named by the victims of the crimes committed, remained at large, many defying arrest. These are grave matters indeed that must not be allowed to be forgiven or forgotten. Based on Shri Nampoothiri's reports the Commission would therefore like to warn that the danger persists of a large-scale and unconscionable miscarriage of justice if the effort to investigate and prosecute the crimes that have been committed is not directed with greater skill and determination, and marked by a higher sense of integrity and freedom from 'extraneous political and other influences' than has hitherto been in evidence. Of particular concern to the Commission have been the heart-rending instances identified in its Proceedings of 1 April 2002, in respect of which it had called for investigations by the CBI: those cases relate to some of the very worst incidents of murder, arson, rape and other atrocities, including many committed against women and children whose tragic and inconsolable circumstances have profoundly shocked and pained the nation.

Pervasive insecurity: Justices Kadri & Divecha

21. In its Preliminary Comments of 1 April 2002 the Commission had referred to the pervasive sense of insecurity prevailing in Gujarat at the time of the visit of its team to that State between 19–22 March 2002. It added that this was most acute among the victims of the successive tragedies, but that it extended to all segments of society, including to two Judges of the High Court of Gujarat, one sitting (Justice Kadri) and the other retired (Justice Divecha) who were compelled to leave their homes because of the vitiated atmosphere.

22. The Commission has carefully considered the 12 April 2002 response of the State Government in respect of Justices Kadri and Divecha. In regard to the former, the response states that, 'prior to 28th, there was already half a section of police guards' posted outside Justice Kadri's residence in Law Garden. It adds that on 28 February 2002, Justice Kadri shifted to Judges Colony in Vastrapur 'of his own accord'. It goes on to state that, from 9 March 2002, a further police guard was placed at his house 'since he desired to shift back to his original residence'. The Commission is compelled to observe that the response of the State Government fails to acknowledge an incontrovertible fact: the movements of Justice Kadri from house to house were compelled on him because of the pervasive insecurity. They were not 'of his own accord' because they were clearly involuntary. And the conclusion is inescapable that the insecurity was such that it was not dispelled by the police arrangements reportedly made for him.

23. As to the 12 April 2002 response of the State Government in respect of Justice Divecha, it totally ignores any mention of the repeated efforts made by him and his associates to seek appropriate police protection, the repeated visits of mobs to his home on 27 and 28 February, his forced departure, together with Mrs Divecha, from their home at around 12.20 p.m. on 28 February 2002 and the fire that was set to their apartment and property at around 4 p.m. on that day. Justice Divecha's letter to the Chairperson of this Commission dated 23 March 2002 (Annexure II) speaks for itself. The fact that criminal case no. 121/2002 was subsequently registered, that 7 arrests had been made and that the matter was under investigation, does not explain the failure to protect Justice Divecha. The action taken was, sadly, too little and too late. Nor can the Commission

accept the proposition that, 'As the city of Ahmedabad was engulfed by the disturbance, it was not possible for the City Police to arrange for protection for every society.' The Commission would like to underline that there were communal reasons for the repeated and specifically targeted attacks on Justice Divecha's property. The attacks were not a case of random violence against 'every society' in the city, as the response of the State Government would have the Commission believe. Indeed, the response betrays a considerable lack of sensitivity in explaining what occurred. It is for this reason that the Commission must reject as utterly inadequate the response of the State Government, as contained in its reply of 12 April 2002, in respect of this matter.

24. There is a deeper point at issue here that the Commission wishes to make. If the response of the State Government to the security needs of two Justices of the High Court was so hopelessly inadequate, despite the time and the opportunity that it had to prevent the harm that was done, it must be inferred that the response to the needs of others, who were far less prominent, was even worse. Indeed, the facts indicate that the response was often abysmal, or even non-existent, pointing to gross negligence in certain instances or, worse still, as was widely believed, to a complicity that was tacit if not explicit.

B. Release of the Confidential Report transmitted to the Government of Gujarat with the Commission's Proceedings of 1 April 2002

25. For the reasons indicated earlier in these Proceedings, the Confidential Report transmitted to the State Government of Gujarat on 1 April 2002, and to which the State Government has not responded for nearly two months despite repeated opportunities to do so, is now being released by the Commission (see Annexure I). Even while doing so, however, the Commission urges that Government to come forward with a clear response, indicating in detail the steps it has taken in respect of the persons named in that report who allegedly violated human rights or interfered in the discharge of the responsibilities of the State to protect such rights. Further, the Commission once again calls upon the State Government to provide a full account of the incidents to which the Commission drew its attention in that Confidential Report, and to indicate the measures it has taken to investigate and redress the wrongs that were committed.

C. *Further set of Recommendations of the Commission, in the light of the reply of 1 April 2002 received from the Government of Gujarat, and of 1 May 2002 from the Ministry of Home Affairs, Government of India*

26. Having reviewed the responses received thus far, the Commission would now like to make a further set of Recommendations, keeping in mind those that it had made in its Proceedings of 1 April 2002.

1. Law and Order

Involvement of CBI

27. (i) In view of the widespread allegations that FIRs had been poorly or wrongly recorded and that investigations had been 'influenced' by extraneous considerations or players, the Commission had stated that the integrity of the process had to be restored. It had therefore recommended that certain critical cases, including five that it had specifically mentioned, be entrusted to the CBI.

(ii) The State Government responded on 12 April 2002 saying that 'An investigation conducted by the State Police cannot be discredited, cannot be put into disrepute and its fairness questioned merely on the basis of hostile propaganda'. It then recounted the steps taken in respect of the five cases listed by the Commission and added that transference of these cases to the CBI would 'indefinitely delay the investigation' and help the accused persons to get bail. It also stated that the CBI is already understaffed and over-burdened. The Commission was therefore requested to reconsider its recommendation as it was based on 'unsubstantiated information given to the Commission by sources with whom authentic information was not available.'

(iii) The response of the Ministry of Home Affairs, Government of India, dated 1 May 2002, summarises the position of the State Government. It then adds that, under existing rules, the CBI can take up the investigation of cases only if the State Government addresses and appropriately requests the CBI to do so. Since the State Government had expressed the opinion that investigation into the cases is not required

by the CBI at this stage, 'it is not possible for the Central Government to direct the CBI to take up the investigation of the above cases.'

(iv) The Commission has considered these responses with utmost care. It does not share the view of the State Government that the substance of the allegations made against the conduct of the police, and the reports of 'extraneous' influences brought to bear on the police, were based on 'hostile propaganda' or 'unsubstantiated information'. The allegations were made by those who were personally affected by, or witness to, the events, and by eminent personalities and activists who spoke to the Commission directly, or addressed petitions to it, with a full sense of responsibility. The Commission would like to underline that it is a central principle in the administration of criminal justice that those against whom allegations are made should not themselves be entrusted with the investigation of those allegations. It has universally been the practice to act on this principle, including in this country. To depart from that principle would, therefore, be to invite a failure of justice. In respect of the cases listed by the Commission, the allegations of inaction, or complicity by the elements of the State apparatus were grave and severely damaging to its credibility and integrity. It would thus be a travesty of the principles of criminal justice if such cases were not transferred to the CBI. Worse still, the inability to do so could severely compromise the fundamental rights to life, liberty, equality and dignity guaranteed by the Constitution to all of the people of India on a non-discriminatory basis. Further, in the light of the unanimously adopted resolution in the Rajya Sabha on 6 May 2002, urging the Central Government 'to intervene effectively under Article 355 of the Constitution to protect the lives and properties of citizens', the Commission is emphatically of the view that the role of the Central Government in respect of the investigation of the cases identified by the Commission should go beyond a mere invocation of the 'existing rules' in respect of when the CBI can take up a case for investigation and a statement to the effect that 'it is not possible' for it to direct the CBI to take up the investigation of these cases given the position taken by the State Government.

(v) In these circumstances, the Commission urges once again that the critical cases be entrusted to the CBI and that the Central Government ensure that this is done, not least in view of the Rajya Sabha resolution referring to its responsibilities under Article 355 of the Constitution. The Commission is deeply concerned, in this connexion, to see from Shri Nampoothiri's report of 28 May 2002 that, of 16,245 persons arrested for substantive offences, all but some 2100 had been bailed out as of 10 May 2002. It also noted from that report that of the 11,363 Hindus arrested for such offences, 8% remained in custody, while 20% of the 4,882 Muslims thus arrested remained in such custody. This does not provide a particularly reassuring commentary on the determination of the State Authorities to keep in check those who were arrested or to bring them to justice.

Police Reform

28. (i) The Commission drew attention in its 1 April 2002 Proceedings to the need to act decisively on the deeper question of Police Reform, on which recommendations of the National Police Commission (NPC) and of the National Human Rights Commission have been pending despite efforts to have them acted upon. The Commission added that recent events in Gujarat and, indeed, in other States of the country, underlined the need to proceed without delay to implement the reforms that have already been recommended in order to preserve the integrity of the investigating process and to insulate it from 'extraneous influences'.

(ii) The report of the State Government of 12 April 2002 contains the ambiguous response that 'the question of Police Reform is already under the consideration of the State Government.' Nothing further is said.

(iii) As to the 1 May 2002 response of the Central Government, it recounts the history of the less than purposeful effort thus far made to bring about Police Reform. It takes the position that 'Police' is a State subject and that 'the Centre at best can lead and give guidance.' Without going into details of the recommendations made, it recalls the work of the National Police Commission (NPC), the letters addressed to Chief Ministers in 1994, the judgement of the Supreme Court in the case filed by Vineet Narain, the PIL

before the Supreme Court in yet another case, the work of the Ribeiro Committee constituted to review the action taken to implement the recommendations of the NPC, NHRC and Vohra Committee, etc. The response concludes 'However, crucial recommendations of the Commission (the NPC) relating to the constitution of State Security Commission/selection of DGP, insulation of investigation from undue pressure etc., could not be implemented.'

(iv) The Commission is fully familiar with this melancholy history of failure – and of the lack of political and administrative will that it signifies – to revive the quality of policing in this country and to save it from the catastrophic 'extraneous influences' that are ruining the investigative work of the police. The Commission therefore urges both the Central and State Governments once again, taking the situation in Gujarat as a warning and catalyst, to act with determination to implement the various police reforms recommended and referred to above.

(v) By drawing attention to the fundamental need for Police Reform, the Commission did not have in mind the temporary appointment of a Security Advisor to a Chief Minister, necessary as such a step may be, or the transfer of police personnel – sometimes for the right reasons, but frequently for the wrong. It had in mind, instead, the crucial reforms which are detailed in full in its submissions to the Supreme Court in the case *Prakash Singh vs. Union of India*. These are fully known to the Central and State Governments and are also published, in extenso, in the Commission's annual report for the year 1997-98, where they may readily be seen. Further, the Commission has in mind the judgement of the Supreme Court in the case *Vineet Narain & Others vs. Union of India & Another (1998 1SCC 273)* in which the Apex Court, inter alia, set out the method of appointment and functioning of the Central Bureau of Investigation (CBI) and the Central Vigilance Commission (CVC), and of a Central Prosecution Agency and went on to observe:

'In view of the problem in the States being even more acute, as elaborately discussed in the Report of the National Police Commission (1979), there is urgent need for the State Governments also to set up a credible mechanism for selection of Police Chiefs in the States.

The Central Government must pursue the matter with the State Governments and ensure that a similar mechanism, (as indicated above) is set up in each State for selection/appointment, tenure, transfer and posting of not merely the Chief of the State Police but also of all police officers of the rank of Superintendent of Police and above. It is shocking to hear, a matter of common knowledge, that in some States the tenure of a Superintendent of Police is on an average only a few months and transfers are made for whimsical reasons. Apart from demoralising the police force, it has also the adverse effect of politicizing the personnel. It is, therefore, essential that prompt measures are taken by the Central Government within the ambit of their Constitutional powers in the federation to impress upon the State Government that such a practice is alien to the envisaged constitutional machinery. The situation described in the National Police Commission's Report (1979) was alarming and it has become much worse by now. The desperation of the Union Home Minister (then Shri Indrajit Gupta) in his letters to the State Government, placed before us at the hearing, reveal a distressing situation which must be cured, if the rule of law is to prevail. No action within the constitutional scheme found necessary to remedy the situation is too stringent in these circumstances.'

(vi) These observations of the Supreme Court, written in 1997, are singularly prescient when set against the situation in Gujarat. The Police Reforms directed by the Apex Court never took place. An unreformed police force thus allowed itself to be overwhelmed by the situation and by the 'extraneous influences' brought to bear on it. In the face of the challenges confronting it, the State Government thus failed in its primary and inescapable duty to protect the constitutionally guaranteed rights of the citizenry. In such a situation, it was widely reported that certain transfers of police personnel were made for whimsical, 'extraneously' influenced reasons. It was also reported that the Director-General of Police was not consulted in respect of them, but side-lined in the decision-making process and protested against the manner in which these transfers were made.

With the Central Government now being fully associated with the unanimously adopted resolution of the Rajya Sabha requiring it to 'intervene effectively under Article 355 of the Constitution,' it becomes doubly incumbent on it to ensure that 'prompt measures' are taken by it, 'within the ambit of its constitutional powers in the federation' to impress upon the State Government that much of what occurred in the aftermath of the Godhra tragedy was 'alien to the envisaged constitutional machinery' and that there is, inter alia, urgent need for radical police reform along the lines already directed by the Supreme Court 'if the situation is to be cured, if the rule of law is to prevail'. The Commission therefore urges that the matter of Police Reform receive attention at the highest political level, at the Centre and in the States, and that this issue be pursued in good faith, and on a sustained basis with the greater interest of the country alone in mind, an interest that must overrule every 'extraneous' consideration. The rot that has set in must be cured if the rule of law is to prevail.

Special Courts and Special Prosecutors

29. (i) The Commission had recommended on 1 April 2002 that Special Courts be established to try the most critical cases on a day-to-day basis, the Judges being hand-picked by the Chief Justice of the High Court of Gujarat, with Special Prosecutors being appointed as needed. Emphasis was also placed on the need for procedures to be adopted of a kind that protected the victimized women and children from further trauma and threat. The deputation of sensitive officers, particularly those who were women, was recommended to assist in the handling of such cases.

(ii) The response of the State Government does not indicate whether it accepts the recommendation for Special Courts of the kind proposed by the Commission, the purpose of which was to ensure expeditious trial and disposal of cases. The Commission would like to stress that justice appropriately and speedily delivered after an outburst of communal violence is essential to the return of normalcy, and that delays in the process exacerbate the climate of violence and mistrust. The response of the State Government also does not comment on the recommendation regarding the appointment

of Special Prosecutors. This is regrettable since media and other reports have alleged that the existing Public Prosecutors have, in critical cases, not asked the Courts to send the accused to police remand, but have informed the Courts that there was no objection to the granting of bail. The Government is therefore requested to clarify the facts pertaining to these matters.

Special Cells

30. The Commission had recommended that Special Cells be constituted under the concerned District Magistrates to follow the progress of cases not entrusted to the CBI and that these should be monitored by the Additional Director General (Crime). The response of the State Government accepts the role proposed for the latter, but does not confirm if appropriate action has been taken. Further, it is silent on the need for Special Cells under the concerned District Magistrates/Police Commissioners. The recommendations are therefore repeated.

Time-frames for investigations

31. The Commission had recommended that specific time-frames should be fixed for the thorough and expeditious completion of investigations. This recommendation appears to have been accepted by the State Government, but it has not spelt out what the time-frames will be, so neither the Commission nor the public know how long the process will take. The State Government should therefore clarify its position on this matter.

Police Desks in Relief Camps

32. The Commission had recommended that police desks should be set-up in the relief camps to receive complaints, record FIRs and forward them to Police Stations having jurisdiction. The 12 April 2002 response of the State Government asserts that instructions to this effect had been given and that 3,532 statements and 283 FIRs had been recorded in the relief camps. The Commission, however, is constrained to observe that, according to a report received from its Special Representative dated 24 April 2002, police desks had been set up only in 9 out of a total of 35 relief camps then in existence in Ahmedabad, that these desks worked only for a few days and only for two hours on an average on those days. The Commission therefore calls for full

compliance with its recommendation in respect of the setting-up of such police desks in the relief camps. That would go a long way towards ensuring that FIRs are more accurately and fully recorded, particularly in respect of crimes committed against women and children, especially rape and other acts of brutality. Regrettably, such cases are still not being adequately registered, a fact that emerges from Shri Nampoothiri's report of 28 May 2002, not least because of the insensitive questioning by police personnel. There is also a lack of evidence of sufficient women officers being appointed to help with such cases. In this connection, the Commission would also like to reiterate its view that, in the very nature of situations such as this, material collected and provided by other credible sources, e.g., NGOs, should be fully taken into account. There is little evidence to suggest that this is being done. There is therefore need for greater responsiveness to this recommendation and greater transparency on the part of Police Commissioners and Superintendents of Police who should establish a system whereby NGOs and others can know precisely what action has been taken in respect of material provided by them.

Survey of all Affected Persons

33. The Commission urges, in this connection, that a comprehensive survey be expeditiously completed to establish the facts concerning the number and names of those who have been killed, or who are missing, injured, rendered widows, orphans or destitute in the violence that has ensued. The response of the Government does not throw any light on what is being done to gather such data. This is posing a major legal and humanitarian problem, not least to those who are the next-of-kin of those who have been killed or who are missing. The procedure for declaring a person dead needs to be reviewed in the present circumstances, and a procedure developed based on affidavits by the next-of-kin and their neighbours or other reliable persons. The Commission further recommends that the State Government expeditiously publish the data that is compiled, on a district-wise basis. This would not only assist the survivors in receiving the compensation and benefits that is their due, but also set to rest speculation about the number of persons killed or missing, and the widespread belief that there is a serious discrepancy between 'official' and 'unofficial' figures. A comparable

recommendation by the Commission in respect of casualties after the Super-Cyclone in Orissa and the earthquake in Gujarat greatly assisted both the State and the affected population to arrive at the truth and to avoid painful controversy.

Analysis of material collected by NGOs and others

34. The Commission had recommended that material collected by NGOs such as Citizen's Initiative, PUCL and others should be used. The response of the State Government indicates that such material, provided by different organizations will be investigated and, if found to be correct upon investigation, appropriately used in accordance with law. The Commission has taken note of this and will be monitoring the action taken by the State Government, particularly in respect of certain critically important cases and of those involving crimes against women and children which have been extensively documented by NGOs and citizens groups. The Commission has also asked its Special Representative to keep it informed of developments in regard to these cases, the details of which are available in the widely circulated reports of these NGOs and citizens groups. The reports thus far received do not suggest that the State Government is acting with adequate diligence on this matter.

Provocative Statements

35. The Commission had drawn special attention to the provocative statements made by persons to the electronic or print media, especially the local media, and had urged that these be examined and acted upon, the burden of proof being shifted to such persons to explain or contradict their statements. The response of 12 April 2002 of the State Government merely states that such statements 'will be examined and acted upon appropriately.' It does not indicate which statements are being examined, nor does it provide the details of the action being taken under the provisions of the Indian Penal Code and other relevant acts to bring to book those individuals or organizations that have been making incendiary statements, or publishing articles or leaflets promoting communal enmity. The Commission would like to receive all relevant details of the persons or organizations identified by the State Government in this connection and of the statements or actions for which they are being prosecuted. Only then will the Commission be able to arrive at a

conclusion as to whether the State Government has acted appropriately in respect of this most serious matter. A further detailed report from the State Government would therefore be appreciated in this respect.

Identification of delinquent public servants

36. The Commission had expressly called for the identification of officers who had failed to discharge their statutory responsibilities appropriately and for proceedings to be instituted against them. Likewise, the Commission had added that those who had performed their duties well, should be commended. The State Government has stated that it will be guided by the findings of the Commission of Inquiry appointed by the State Government. It adds that 'some of the officers who have performed their duties commendably have already been rewarded appropriately.' The Commission is of the view that action against the delinquent public servants need not, in all instances, await the outcome of the Commission of Inquiry. In situations such as prevailed in Gujarat, the swiftness and effectiveness of the action taken against delinquent public servants itself acts as a major deterrent to misconduct or negligence in the performance of duty. It also acts as a catalyst to the restoration of public confidence and as an indication of the good faith of the Administration. Failure to take prompt action has the opposite effect. The Commission therefore recommends that prompt action be taken against the delinquent public servants and that the progress in the action initiated be communicated to the Commission.

II. *Proper Implementation of Existing Statutory Provisions, Circulars and Guidelines*

37. Communal riots are not new to India and least of all so to Gujarat, as the responses of the State Government themselves indicate. The Commission would therefore like to stress that there already exists in the country a comprehensive body of material in the form of statutory provisions, circulars, guidelines and the like, that has been meticulously elaborated over the years, that can and must be followed by those responsible for the maintenance of law and order and communal harmony in the country. In assessing whether or not the Government of Gujarat discharged its responsibilities adequately in the face of

the violence that convulsed the State for over two months, it is essential to assess its performance against this body of material. For purposes of these Proceedings, the Commission will not attempt to list out comprehensively the entire range of statutes, circulars and guidelines germane to developments in Gujarat, but it will, by way of illustration, draw attention to certain of them, since they are singularly relevant to an assessment of the conduct of the State Government and of its officials.

(i) Statutory Provisions

38. Amongst the principal statutory provisions that could and should have been vigorously used to control the situation are the following:

39. The Indian Penal Code (1860)

Chapter VIII entitled 'Of offences against the public tranquillity': This is relevant in its entirety (Sections 141-160 IPC).

The Commission would, however, draw attention in particular to the following provisions of that Chapter:

- Section 153 – Wantonly giving provocation with intent to cause riot – If rioting be committed, if not committed;
- Section 153-A – Promoting enmity between different groups on grounds of religion, race, place of birth, residence, language, etc., and doing acts prejudicial to maintenance of harmony;
- Section 153-B – Imputations, assertions prejudicial to national integration.

Chapter XV entitled 'Of offences relating to religion'

This, too, is most relevant and includes the following:

- Section 295 – Injury or defiling place of worship with intent to insult the religion of any class;
- Section 295-A – Deliberate and malicious acts intended to outrage religious feelings of any class by insulting its religion or beliefs;
- Section 297 – Trespassing on burial places, etc.;
- Section 298 – Uttering words, etc., with deliberate intent to wound religious feelings.

The Commission would also draw attention to the special relevance in *Chapter XXII* of Section 505 (1), (2) & (3) IPC, dealing respectively with Statements conducing to public mischief, Statements creating or promoting enmity, hatred or ill-will, between classes, and an Offence under sub-section (2) committed in a place of worship, etc.

The Code of Criminal Procedure (1973)

40. Attention is drawn, in particular, to the contents of *Chapter V*, relating to Arrest of Persons, and especially to

- Section 41 – When police may arrest without warrant;
- Section 51 – Search of arrested person; and
- Section 52 – Power to seize offensive weapons.

The following sections of *Chapter X*, dealing with *Maintenance of Public Order and Tranquility*, are also particularly relevant:

- Section 129 – Dispersal of assembly by use of civil force;
- Section 130 – Use of armed force to disperse assembly;
- Section 131 – Power of certain armed force officers to disperse assembly;
- Section 144 – Power to issue order in urgent cases of nuisance or apprehended danger.

Chapter XI, dealing with *Preventive Action of the Police*, contains, in particular, the following:

- Section 149 – Police to prevent cognizable offences;
- Section 151 – Arrest to prevent the commission of cognizable offences.

Chapter XII concerning *Information to the Police and their Powers to Investigate*, is also of relevance, particularly Section 154 pertaining to the recording of information in cognizable cases.

41. In addition, attention is drawn to *The Police Act, 1861*. Of particular relevance are the following provisions:

- Section 23 – Duties of police officer;
- Section 30 – Regulation of public assemblies and processions and licensing of the same.

42. *The National Security Act, 1980*, which provides for preventive detention, is also germane to the situation that prevailed in Gujarat, as is the *Arms Act, 1959*.

43. As indicated earlier, the statutory provisions mentioned above do not purport to be a comprehensive listing of all such provisions under the various acts of the country relevant to the maintenance of law and order and communal harmony. However, even the selected listing contained in these Proceedings gives an idea of the vast range of the provisions of law that the Government of Gujarat could and should have drawn upon to deal swiftly and effectively with the violence that ensued. The performance of the authorities, however, points to a less than vigorous use of these provisions.

(ii) Circulars, Guidelines, etc.

44. In examining the situation, the Commission has, in particular, been struck by the apparent failure of the Government of Gujarat to follow vigorously the '*Guidelines to Promote Communal Harmony*' issued by the Ministry of Home Affairs, Government of India, in 1997 and circulated to all Chief Ministers with a covering letter dated 22 October 1997 from the then Union Minister for Home Affairs, Shri Indrajit Gupta, who called for 'urgent action' on the basis of those Guidelines.

45. Given the pointed relevance of those Guidelines to the situation in Gujarat, they are being attached to these Proceedings in full as Annexure III. In addition, however, it is essential to highlight certain portions of those Guidelines, by reproducing them in the main body of these Proceedings.

Excerpts from the 'Guidelines to Promote Communal Harmony'

46. From the Chapter entitled *Intelligence*

- *Paragraph 2*: 'The organizational aspect of intelligence, with special reference to its adequacy, scope and efficacy, both at the State level and in the Districts/Towns/Areas identified as sensitive/hyper-sensitive should be thoroughly reviewed on a priority basis.'
- *Paragraph 8*: 'There is an urgent need to make use of the intelligence feed-back so gleaned from the ground level. To ensure this there must be at least a monthly review of intelligence at the District level by the District Magistrate, Superintendent of Police and the Head of District Intelligence. Such reviews should not get 'routinised.' A monthly report of the review should be sent to the State Government.'

47. From the Chapter entitled '*Periodical Review of Communal Situation at District level and State level*'

- Special arrangements are recommended to ensure that women are protected as they are 'the most affected group in communal tensions or riots' *(paragraph 11)*, as also for 'industrial areas,' as they 'may be prone to communal flare-ups' *(paragraph 14)*.
- *Paragraph 15* requires: 'At the first sign of trouble, immediate steps have to be taken to isolate elements having a non-secular outlook. Effective will needs to be displayed by the District Authorities in the management of such situations so that

ugly incidents do not occur. Provisions of section 153(A), 153(B), 295 to 298 and 505 of IPC and any other law should be freely used to deal with individuals promoting communal enmity.'

- *Paragraph 16*: 'Activities of communal organizations fomenting communal trouble, should be under constant watch of intelligence/police authorities. Prompt action should be taken against them at the first sign of trouble.'
- *Paragraph 17*: Processions have been the single largest cause of communal conflagrations.

48. Under the Chapter entitled *Stringent Implementation of Acts relating to Religious Places*, the Guidelines stress, in particular, the need to ensure respect for the *Religious Institutions (Prevention of Misuse) Act, 1988* and the *Places of Worship (Special Provisions) Act, 1991*. The Guidelines also call for the 'strict enforcement of the penal provisions of these Acts' *(paragraphs 25-27)*.
49. The responsibility of the Press is dealt with in the Chapter devoted to this subject. It calls on the Press to 'report incidents factually without imparting a communal colour to them' *(paragraph 30)* and states that 'Action should be taken against writers and publishers of objectionable and inflammatory material aimed at inciting communal tension.' (*paragraph 31*).
50. In the '*Administrative Measures*' required for dealing with serious communal disturbances, the Guidelines state that, 'as soon as a communal incident occurs, a report should be sent thereon to the Ministry of Home Affairs immediately, mentioning, inter alia, the grant of awards for good work or punishments for showing laxity in the district officer connected with the incidents' *(paragraph 35)*. The Guidelines add 'special Public Prosecutors, preferably from outside the district concerned or in any event from outside the affected area should be appointed' *(paragraph 36)*.
51. The need to '*Detect and Unearth*' *illegal arms* and to cancel arms licences issued without adequate justification is considered in *paragraph 40*.
52. Thereafter, the '*Role of the Police*' is dealt with at some length. *Paragraph 44* stresses the need for 'minority community members in the police force deployed in communally sensitive areas;' it urges the 'launching of special campaigns to recruit more members of minorities in the State Police Force' and the 'creation of composite battalions of armed police which should include

members of all religious communities including SC's/ST's for exclusive use in maintaining communal peace and amity in sensitive areas.'

53. Under the heading '*Punitive Action*', the Guidelines state that 'Laws relating to collective fines should be used without fear or favour, wherever the situation warrants' *(paragraph 48)*. It is then urged that 'Crimes committed during riots should be registered, investigated and the criminals identified and prosecuted.' 'Stringent judicial action' is required to be taken against criminals and it should be well publicized in order to impose 'a high degree of constraint upon others' *(paragraph 49)*.
54. *Paragraph 50* deals with *Special Courts* for expeditious trial and disposal of cases. It also suggests that when an Enquiry Committee/Commission is set up, 'its recommendations should be expeditiously implemented, say within three months and the Central Government should be kept informed.'
55. As regards '*Personnel Policy*', the Guidelines categorically state that the District Magistrate and the Superintendent of Police 'will be responsible' for maintaining communal harmony in the district *(paragraph 52)* and that 'A mention should be made in the ACRs of DMs/SPs which should reflect their capability in managing law and order situations, especially their handling of communal situations' *(paragraph 53)*.
56. Of great importance in the Guidelines and of clear relevance to the situation in Gujarat is the view expressed on the '*Role of Ministers/Office Bearers of Political Parties.*' *Paragraph 57* states that 'Ministers and office bearers of political parties should exercise maximum restraint and self-discipline in making public utterances on any issue concerning the communal disturbance' and *paragraph 58* adds 'No Minister or an office bearer of a political party should participate in any function or a meeting or a procession which may have a bearing on religious or communal issues. It would be best if the District Magistrate is consulted before participating therein.'
57. The Guidelines recapitulated above were issued by the Government of India 18 years after the *Second Report of the National Police Commission (NPC)* which, in 1979, analyzed the grave issue of Communal Riots in great detail. Chapter XLVII of that Report contained specific observations and recommendations which retain a high degree of relevance to what occurred in Gujarat recently.

58. The Second Report of the NPC recalled and examined the work of various Commissions of Inquiry appointed earlier to look into major incidents of communal violence, including inter alia the Raghubar Dayal Commission (Ranchi-1967), the Madon Commission (Bhiwandi-1970), the Jaganmohan Reddy Commission (Ahmedabad-1969) and the Balasubramanian Commission (Bihar Sharief-1981) and reached the conclusion that there was a 'pattern in the failures' to deal effectively with the outbursts of communal violence. The 'pattern' pointed to the following 'failures' *(paragraphs 47.6 – 47.16)*:

- A failure in timely and accurate gathering of intelligence;
- A failure to make a correct assessment of the intelligence reports;
- A failure to anticipate trouble, and to make adequate arrangements on the ground;
- A failure to deploy available resources adequately and imaginatively in vulnerable areas; a tendency to disperse the force in penny-packets without sufficient striking reserves;
- A failure by the DM and SP to take 'quick and firm decisions' and a 'growing tendency among the district authorities to seek instructions from higher quarters, where none are necessary';
- A failure of police officers and their men to function without bias; a pattern instead of such personnel showing 'unmistakable bias against a particular community';
- A failure of officers to take responsibility in dealing with a situation, 'to avoid to go to a trouble spot, or when they happen to be present there, (to) try not to order the use of force when the situation demands, or better still slip away from the scene leaving the force leaderless';
- A failure to post district officers on 'objective considerations' or for 'long enough tenures'; instead, officers 'being posted and transferred due to political pressures,' adversely affecting the discipline and morale of the force, the 'spate of transfers' undermining the 'credibility of the administration.'
- A failure to be transparent in respect of a situation and a tendency to 'hide the true facts', even among senior officers. The tendency to 'minimize' the number of casualties often resulted in rumours, the populace then choosing to believe 'sources other than the administration and the government media.'

59. The Second Report of the National Police Commission (NPC) then went on to make a number of powerful recommendations,

many of which were subsequently used in the Guidelines of 1997, referred to above. Among the more relevant of the NPC recommendations, specifically in respect of communal situations, were the following:

- The administration should disseminate correct information to the public through all available means. In cases of mischievous reporting, the State Government and local administration should use every weapon in the legal armory to fight obnoxious propaganda prejudicial to communal harmony *(paragraphs 47.28 47.29)*.
- The authorities in dealing with communal riots should not be inhibited, by any consideration, to adopt luke-warm measures at the early stages; a clear distinction must be made between communal riots and other law and order situations and 'the most stringent action taken at the first sign of communal trouble' *(paragraph 47.34)*.
- Officers who have successfully controlled the situation at the initial stages with firm action should be suitably rewarded. Immediate and exemplary action should be taken against officers who willfully fail to go to the trouble spot or who slip away from there after trouble has erupted *(paragraph 47.35)*.
- The NPC Report 'strongly disapproves' of 'the practice of posting and transfers on political pressures.' Only specially selected experienced officers with an image of impartiality and fair play should be posted to communally sensitive districts *(paragraph 47.36)*.
- There should be a control room in all of those places which have been identified as prone to communal trouble. Even though some information passed on to the control room may not be useful ..... every bit of information passed on to the control room should ..... be acted upon as if it were genuine *(paragraph 46.37)*.
- Unless crimes committed are registered, investigated and the criminals identified and prosecuted, the police would not have completely fulfilled its role as a law enforcement agency..... The police should realize that the task of investigation is a mandatory duty cast upon it and any indifference to this task can attract legal sanctions *(paragraph 47.47)*.
- In a riot situation registration of offences becomes a major casualty. 'It is futile to expect the victim of the crime to reach a police station risking his (her) own life and report a crime to

the police.' The police should therefore open several reporting centres at different points in a riot-torn area *(paragraph 47.48)*.

- The police forces of the various States in the country should truly represent the social structure in the respective States *(paragraph 47.58)*.

60. In drawing attention to the Circulars, Guidelines and Reports mentioned above, the Commission would like to underline its sense of anguish that, despite the existence of such thorough and far-reaching advice on how to handle incidents of communal violence, the Government of Gujarat has conspicuously failed to act in accordance with the long-standing provisions of these important instructions and that, measured against the standards set by them, the performance of the State appears to be severely wanting. The Commission believes that there is need for careful introspection within the State Government in this respect; the shortcomings in its performance need to be analysed, inter alia, in the light of the statutory provisions, circulars and guidelines referred to above, and a detailed report based on that analysis should be made available by the State Government to the Ministry of Home Affairs, Government of India, and to this Commission for their consideration. The report should indicate the precise conclusions that the State Government has reached, and the steps that it intends to take, to prevent the recurrence of the type and range of failures that have marred the performance of the State in the handling of the tragic events that occurred recently. The report should also indicate clearly what steps the Government intends to take against those who are responsible for these multiple failures, identifying the delinquent public servants, and others in authority, without equivocation.

III. Camps

61. The Commission had recommended that the camps should be visited by senior political leaders and officers in a systematic way, that NGOs should be involved in the process, and that the management and running of camps should be marked by transparency and accountability. The State Government has, in its response of 12 April 2002, recounted the number of visits made, the medical, para-medical, sweepers, anganwadi and other staff appointed/deployed, the medicines distributed etc.

62. The Commission has taken note of these efforts. It would, however, like to draw particular attention to the following matters:

(i) There is a manifest need to improve sanitary conditions in the camps, and increase the provision of toilets and water supply. Particular care must be taken of the needs of women, for whom special facilities should be provided. There should be a reasonable ratio prescribed of toilets and bathing places to population.

(ii) Particular vigilance must be ensured to prevent the spread of epidemics, measles and other illnesses having already taken a toll.

(iii) While the response of the State Government indicates the quantity of food-grains, pulses, etc., supplied to the camps in 8 districts, it does not indicate the standards adopted in providing essential food-items. These standards must accord with the minimal nutritional levels set by WHO/ UNICEF and the competent Ministries of the Government of India in situations such as this. There have been alarming reports of arbitrary reductions in the quantity of foodstuffs being provided.

(iv) Given the scorching heat of summer, and the imminent monsoon that will follow, there is an immediate and most critical need to provide semi-permanent structures and better protection against the elements. Standards must also be set for the provision of fans etc., in terms of population, in order to ease the suffering of those who have sought refuge in the camps.

(v) Camp-wise monitoring committees should be appointed to watch over each of the camps.

(vi) The role and functions of NGOs should be more clearly defined than has been the case till now. Private sector organizations and business houses should be encouraged to 'adopt' certain camps, or specific activities within them, e.g., the provision of medicines, the improvement of shelter, sanitary conditions, etc.

(vii) The reports of the Secretary-level officers appointed to monitor work in the camps should be recorded on a prescribed form, and be available to the public as also to the Special Representative of the Commission in Gujarat.

(viii) An adequate number of trauma specialists should be sent

to the camps and other distressed areas for the counseling and treatment of victims.

(ix) Procedures should be simplified for obtaining death certificates and ownership certificates, in order to expedite the giving of compensation. Time-frames should be set for the settlement of claims and the survey of townships and villages that have been affected. These should be indicated to the public and to this Commission. There are disturbing reports that the compensation being announced for damaged homes and properties is being arbitrarily fixed and serving as a disincentive to victims to start their lives anew. This should be urgently looked into by the State Government which should establish credible mechanisms for assessing damages done to homes and items of property and ensure that those who have suffered receive fair and just compensation.

(x) Confidence building measures should be elaborated and made public, in order to facilitate the return of camp inmates and others who have fled, to their homes and work. Leadership must be provided by the highest echelons of the State Administration.

(xi) The Commission has noted the assurance given by the State Government, in its response of 12 April 2002, and reiterated subsequently in media reports to the effect that the inmates will not be asked to leave the camps until appropriate relief and rehabilitation measures are in place for them and they feel assured, on security grounds, that they can indeed leave the camps and return to their homes. Reports reaching the Commission, however, still point to pressures being exerted on the inmates, or conditions in some camps being so inhospitable, that inmates have felt compelled to leave the camps and seek refuge with family or friends. The Commission recommends once again, in the circumstances, that no camp be closed without a clear recommendation from a Committee comprising the Collector, a representative of a reputed NGO, a representative of the camp, and the Special Representative of the Commission in Gujarat or a nominee of his.

IV. Rehabilitation

63. (i) The Commission has noted that the State Government, in

its response of the 12 April 2002, has accepted its recommendation 'in principle' that places of worship that have been destroyed be repaired expeditiously. However, little has been done to start work as yet. The Commission recommends that the full list of damaged and destroyed sites/ monuments be published district-wise. This would constitute an essential confidence-building measure, as certain historical sites have not only been destroyed but efforts have been made to erase any trace of them. Plans should be announced for the future protection of historical, religious and cultural sites in the State and the entire exercise undertaken in consonance with articles 25 to 29 of the Constitution.

(ii) The Commission has taken note of the package of relief and rehabilitation measures announced by the State Government, including the contribution from the Prime Minister's Relief Fund. It has also noted that disbursement of assistance is 'still under progress.' The Commission is concerned that difficulties have arisen in obtaining death and ownership certificates and has referred to this matter earlier in these Proceedings. Delays have also occurred in assessing damages and paying compensation at an appropriate level. The Commission is aware of the immense amount of work that must be done to ensure proper relief and rehabilitation to those who have suffered. It would, however, urge that procedures be streamlined and expedited to deal with the issues mentioned above. Further, as long as inmates stay in the camps, there is need to ensure that this painful interlude in their lives is redeemed, in part at least, by the provision of work and training, by the maintenance of appropriate nutritional standards, by medical and psychiatric care adequate to the demands of the situation. Particular care should also be taken of the needs of widows, victims of gender-related crimes, and orphans. Further, while a number of special schemes have been announced for the victims of the violence, as indeed they should have been, this should not imply that they should not be eligible for the existing range of anti-poverty and employment schemes. In other words, there should be a convergence of Government schemes for their care.

(iii) The Commission has noted the measures being taken to resettle the victims. Various reports indicate, however, that

compensation for damaged property is often being arbitrarily set at unreasonably low amounts and that pressure is being put on victims that they can return to their homes only if they drop the cases they have filed or if they alter the FIRs that they have lodged. It is important to ensure that conditions are created for the return of victims in dignity and safety to their former locations. Only if they are unwilling to return to their original dwelling sites should alternative sites be developed for them. The response of the State Government of 12 April 2002 does not indicate whether it has acted upon the Commission's recommendation that HUDCO, HDFC and international funding agencies be approached to assist in the work for rehabilitation. The Commission would like a further response to this.

(iv) The Commission had recommended that the private sector, including the pharmaceutical industry should be requested to assist in the relief and rehabilitation process. The State Government has responded on 12 April 2002 that it has not experienced any shortage of drugs and medicines thus far. The Commission intends to continue monitoring the situation in this and other respects through its Special Representative, Shri Nampoothiri.

(v) The Commission has also taken note of the response of the State Government in respect of the Commission's recommendation that NGOs and the Gujarat Disaster Management Authority be associated with the relief and rehabilitation work. The plight of women and children, particularly widows, victims of rape and orphans remains of particular concern to the Commission. It is essential their names and other details be recorded with care and individual solutions be pursued for each of them, whether this be for financial assistance, shelter, medical or psychiatric care, placement in homes, or in respect of the recording of FIRs and the prosecution of those responsible for their suffering. The Commission intends to monitor this matter closely.

Concluding Observations

64. The tragic events in Gujarat, starting with the Godhra incident and continuing with the violence that rocked the State for over two months, have greatly saddened the nation. There is no doubt, in the opinion of this Commission, that there was a

comprehensive failure on the part of the State Government to control the persistent violation of the rights to life, liberty, equality and dignity of the people of the State. It is, of course, essential to heal the wounds and to look to a future of peace and harmony. But the pursuit of these high objectives must be based on justice and the upholding of the values of the Constitution of the Republic and the laws of the land. That is why it remains of fundamental importance that the measures that require to be taken to bring the violators of human rights to book are indeed taken.

65. The Commission has noted that there has been a decline in the incidents of violence in the past three weeks and that certain positive developments have taken place since the start of May 2002. However, as these Proceedings indicate, much remains to be done, and the integrity of the administration must be restored and sustained if those who have suffered are to be fully restored in their rights and dignity.

66. The Commission will therefore continue to monitor the situation with care, and it calls upon the Government of Gujarat to report to it again, by 30 June 2002, on all of the matters covered in the Comments and Recommendations contained in these Proceedings, including the Confidential Report of 1 April 2002 transmitted to it earlier *Annexure I*).

67. The Commission would like to close with an invocation of the thoughts of Mahatma Gandhi and Sardar Vallabhbhai Patel who, born in Gujarat, illuminated the life of the country with their wisdom, foresight and courage.

68. Gandhiji once observed:

'It has always been a mystery to me how men can feel themselves honoured by the humiliation of their fellow beings.'

He also said:

'Peace will not come out of a clash of arms but out of justice lived and done.'

69. And the comments of Sardar Patel, who chaired the Advisory Committee of the Constituent Assembly charged with the drafting of the articles on Fundamental Rights, are also of the deepest significance. The issue then was this: in the years preceding Independence, detractors of the National Movement, including elements of the retreating colonial power, repeatedly claimed that the minorities of India could not possibly find justice at the hands of other Indians. Sardar Patel was determined

to refute this politically motivated assessment of the character of the country. Accordingly, on 27 February 1947, at the very first meeting of the Advisory Committee of the Constituent Assembly on Fundamental Rights, Minorities and Tribals and Excluded areas, Sardar Patel asserted:

> 'It is for us to prove that it is a bogus claim, a false claim, and that nobody can be more interested than us, in India, in the protection of our minorities. Our mission is to satisfy every one of them..... Let us prove we can rule ourselves and we have no ambition to rule others.'

70. So it was that the Constitution of the Republic included a series of articles having a bearing on the rights of minorities – some of general applicability, others of greater specificity. The most notable were those relating to the Right to Equality (particularly articles 14, 15, 16 and 17), the Right to Freedom of Religion (articles 25, 26, 27 and 28), Cultural and Educational Rights (particularly articles 29 and 30) and, upholding them all, the Right to Constitutional Remedies (in particular article 32).
71. Critical and cruel as the communal dimension was to the tragedy of Gujarat, what was at stake, additionally, was respect for the rights of all Indians – irrespective of community – that are guaranteed by the Constitution. That Constitution assures the Fundamental Rights of all who dwell in this country, on a non-discriminatory basis, regardless of religion, race, caste, sex or place of birth. It was this guarantee that was challenged by the events in Gujarat. It is for this reason that the Commission has followed developments in that State closely, and that it will continue to monitor the situation for as long as is needed.

(Justice J.S. Verma)
Chairperson
(Justice K. Ramaswamy)
Member
(Justice Sujata V. Manohar)
Member
(Virendra Dayal)
Member

HOW HAS THE GUJARAT MASSACARE AFFECTED MINORITY WOMEN?

THE SURVIVORS SPEAK: FACT-FINDING BY A WOMEN'S PANEL

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Gujarat ke firaq se hai khaar khaar dil
Betaab hai seenay mane atish bahar dil
Marham nahin hai iske zakhm ka jahan mane
Shamshir e hijr se jo hua hai figar dil

(My heart is thorn-filled with longing for Gujarat
Restless, frantic, flame-wrapped in the spring
On earth there exists no balm for its wound
My heart split asunder by the dagger of separation)

Wali Gujarati, Sufi saint-poet
Born in Ahmedabad circa 1650, died in Ahmedabad 1707
Tomb razed, February 28, 2002

'I always swerve a bit to the side to avoid driving over the spot where the mazaar stood. It wouldn't feel right to go over it. I know other drivers do the same.' Driver Shankar, while driving past the freshly tarred patch of road where Wali Gujarati's mazaar had been for three hundred years. – March 30, 2002.

Introduction

A six-member team of women from Delhi. Bangalore, Tamil Nadu and Ahmedabad undertook a five-day fact-finding mission from March 27 to March 31, 2002, to assess the impact of the continuing violence on minority women in Gujarat.

Other fact-finding teams have also visited Gujarat post-Godhra. However, given the particular targeting of women in this carnage, there was an urgent need for a sectoral investigation into how women in particular have been affected. The objective of the fact-finding was to determine the nature and extent of the crimes against women; find evidence of the role played by the police and

other state institutions in protecting women; determine 'new elements' in the current spate of violence that distinguish it from previous rounds of communal violence, to determine the role of organisations like the VHP and Bajrang Dal in both the build-up to the current carnage as well as in actually unleashing the violence.

The team visited seven relief camps in both rural and urban areas (Ahmedabad, Kheda, Vadodara, Sabarkantha and Panchmahals districts) and spoke to a large number of women survivors. Ensuring that women's voices are heard was a matter of priority for the entire team. The team also spoke to intellectuals, activists, members of the media, administration, and leaders from the BJP including MLA Maya Kodnani, accused in an FIR in the Naroda Patia massacre. The fact-finding was conducted under conditions of continuing violence and curfew in many parts of the State.

We have been shaken and numbed by the scale and brutality of the violence that is still continuing in Gujarat. Despite reading news reports, we were unprepared for what we saw and heard; for fear in the eyes and anguish in the words of ordinary women whose basic human right to live a life of dignity has been snatched away from them.

Main Findings:

The pattern of violence does not indicate 'spontaneous' action. There was pre-planning, organisation, and precision in the targeting.

There is compelling evidence of sexual violence against women. These crimes against women have been grossly under-reported and the exact extent of these crimes – in rural and urban areas – demands further investigation. Among the women surviving in relief camps, are many who have suffered the most bestial forms of sexual violence – including rape, gang rape, mass rape, insertion of objects into their body, stripping, molestations. A majority of rape victims have been burnt alive.

There is evidence of State and Police complicity in perpetuating crimes against women. No effort was made to protect women. No Mahila Police was deployed. State and Police complicity in these crimes is continuing, as women survivors continue to be denied the right to file FIRs. There is no existing institutional mechanism in Gujarat through which women can seek justice.

The impact on women has been physical, economic and psychological. On all three fronts there is no evidence of State efforts to help them.

The state of the relief camps, as mothers struggle to keep their children alive in the most appalling physical conditions, is indicative of the continued abdication of the State's responsibilities.

Rural women have been affected by communal violence on this scale for the first time. There is a need for further investigation into the role played by particular castes/communities in rural Gujarat in unleashing violence.

There is evidence that the current carnage was preceded by an escalation of tension and build-up by the VHP and the Bajrang Dal.

There is an alarming trend towards ghettoisation of the Muslim community in rural areas for the first time.

Sections of the Gujarati vernacular press played a dangerous and criminal role in promoting the violence, particularly in provoking sexual violence against women.

Section I: Sexual Violence Against Women

The fact-finding team found compelling evidence of the most extreme form of sexual violence against women during the first few days of the carnage – in Ahmedabad on February 28 and March 1 and in rural areas up to March 3, 2002. The testimonies point to brutal and depraved forms of violence. The violence against minorities was pre-planned, organised and targeted. In every instance of large scale mob violence against the community in general, there was a regular pattern of violence against women. Given the fact that the data on crimes against women has not been systematically collected, it is impossible to ascertain the extent of the outrage. We believe, however, that crimes against women have been grossly under-reported. For instance, in Panchamahals district only one rape FIR has been filed, though we heard of many other cases. There has been a complete invisibilisation of the issue of sexual violence in the media.

The situation is compounded by the apathy of law-enforcement agencies and the indifference of political representatives. In our interview with Maya Kodnani, BJP MLA from Naroda Patia, where several brutal gang rapes and rapes of minor girls have been reported (see testimonies below) we found that she was indifferent, complacent and even bemused. When questioned about the reported rapes she said — *Accha, kya ye sach hai? Suna hai. Ek police wale ne mujhe bataya ki aise hua hai par usne dekha nahin.* (Is this true? One policeman mentioned this to me but he had not seen

anything) She had not taken the trouble to investigate further, and clearly indicated no intent to do so.

Given the gravity of the situation, it is incomprehensible that until the writing of this report the National Commission for Women, mandated as the apex body for protection of women's rights guaranteed under the constitution of India, had not visited the State. This indicates a complete institutional breakdown as for as issues such as violence against women are concerned. As the District Collector of Panchamahals clearly told us 'Maintaining law and order is my primary concern. It is not possible for me to look into cases of sexual violence. If something is brought to my notice (like the Bilkees case, see below) I can take action, but nothing more than that. NGOs should take on this job. I would welcome their involvement.'

During our visits to the camps, we were besieged with detailed testimonies from rape victim themselves and eyewitnesses – both activists and family members who witnessed the crime. For instance, in the short time we spent at Halol camp (Panchmahals district) we were able to get information about four incidents of rape. The fact-finding team also saw video footage where women spoke of witnessing rapes. In the film we saw slogans like 'Muslims Quit India – or we will f*** your mothers' written on the walls of charred houses.

We reproduce below some of the testimonies that we were able to record.

A. TESTIMONIES OF SEXUAL VIOLENCE

WITNESSING MASS RAPE (INCLUDING MINOR GIRLS)

Naroda Patia, Ahmedabad, February 28, 2002

The mob started chasing us with burning tyres after we were forced to leave Gangotri Society. It was then that they raped many girls. We saw about 8–10 rapes. We saw them strip 16-year-old Mehrunissa. They were stripping themselves and beckoning to the girls. Then they raped them right there right there on the road. We saw a girl's vagina slit open. Then they were burnt. Now there is no evidence.

Source: Kulsum Bibi, Shah-e-Alam Camp, March 27, 2002-09-28

'I saw Farzana being raped by Guddu Chara. Farzana was about 13 years. She was a resident of Hussain Nagar. They put a saria (rod)

in Farzana's stomach. She was later burnt. 12-year-old Noorjahan was also raped. The rapists were Guddu, Suresh and Naresh Chara and Haria. I also saw Bhawani Singh, who works in the State Transport Department kill 5 men and a boy.
Source: Azharuddin, 13 years. He witnessed the rapes while hiding on the terrace of Gangotri Society. The Chara basti is located just behind Jawan Nagar.

'The mob, which came from Chara Nagar and Kuber Nagar, started burning people at around 6 in the evening. The mob stripped all the girls of the locality, including my 22-year-old daughter, and raped them. My daughter was engaged to be married. 7 members of my family were burnt including my wife (aged 40), my sons (aged 18, 14 and 7) and my daughters (aged 2,4 and 22). My eldest daughter, who later died in the civil hospital, told me that those who raped her were wearing shorts. They hit her on the head and then burnt her. She died of 80% burn injuries.'
Source: Abdul Usman, Testimony recorded by Citizens Initiative

Sultani, A Rape Survivor, Speaks

Village Eral, Kalol Taluka, Panchmahals District, February 28th, 2002

On the afternoon of February 28, to escape the violent mob, about 40 of us got on the a tempo, wanting to escape to Kalol. My husband Feroze was driving the tempo. Just outside Kalol a Maruti car was blocking the road. A mob was lying in wait. Feroze had to swerve. The tempo overturned. As we got out they started attacking us. People started running in all directions. Some of us ran towards the river. I fell behind as I was carrying my son, Faizan. The men caught me from behind and threw me on the ground. Faizan fell from my arms and started crying. My clothes were stripped off by the men and I was left stark naked. One by one the men raped me. All the while I could hear my son crying. I lost count after 3. They then cut my foot with a sharp weapon and left me there in that state.'
Source: Sultani, Kalol camp, Panchmahals District, March 30, 2002

Additional facts about the case:
We had heard about Sultani's case from her relatives in Halol camp. The details and sequence of events of both testimonies matched.

Sultani has not undergone a medical examination. Her leg had

been swollen for three weeks as a result of the injury inflicted by a sharp weapon, but it is healing now.

No FIR has been filed though a written statement has been submitted to the DSP. In her statement she names some men from the mob (Jitu Shah, PDS Shop, PDS Shop owner of Delol village; Ashok Patel alias Don Dadhi of Ramnath village).

When we spoke with her and her sister-in-law they both said they were feeling numb and lost, as they did not know where to go from the Camp. She categorically stated that they could not go back to her village. She was terribly worried about the future especially her children's. Sultani has still not been told that her husband had died in the attack. She believes he is missing.

A MOTHER'S ACCOUNT OF HER DAUGHTER'S RAPE

Village Eral, Kalol Taluka, Panchmahals District. March 3, 2002.

'My father-in-law, a retired schoolteacher, refused to leave the village with the other Muslim families who fled to Kalol on February 28. He believed no one would harm us. From the 28th about 13 members of my family sought refuge in various people's houses and the fields. On Sunday afternoon (March 3) the hut we were hiding in was attacked. We ran in different directions and hid in the field. But the mob found some of us and started attacking. I could hear various members of my family shouting for mercy as they were attacked. I recognized two people from my village – Gano Baria and Sunil – pulling away my daughter Shabana. She screamed, telling the men to get off her and leave her alone. The screams and cries of Ruqaiya, Suhana, Shabana, begging for their izzat could clearly be heard. My mind was seething with fear and fury. I could do nothing to help my daughter from being assaulted sexually and tortured to death. My daughter was like a flower, still to experience life. Why did they have to do this to her? What kind of men are these? The monsters tore my beloved daughter to pieces. After a while, the mob was saying, "Cut them to pieces; leave no evidence". I saw fires being lit. After some time the mob started leaving. And it became quiet.'

Source: Medina Mustafa Ismail Sheikh, Kalol Camp, Panchmahals District, March 30, 2002.

Additional facts about the case:

Medina's testimony has been corroborated by the other two living witnesses – Mehboob and Khushboo. Khushboo in her testimony

also recounted how her grandfather (Medina's father-in-law) and Huriben were killed. She also narrated how Ruqaiya's pajamas were taken off and then one by one the men started 'poking her in the lower part with their body'.

We saw a copy of Medina's FIR, where the police has charged 5 persons with murder under Section 302. Charges of rape have not been included. The FIR uses the colloquial phrase ***bura kaam*** rather than the specific term rape. We were also given the case report prepared by the camp leaders. The names of some of the accused are mentioned in the FIR.

Gang Rape of 25-Year-Old Zarina: A Husband's Account

Hussain Nagar, Naroda Patia, Ahmedabad. February 28, 2002

It started at 9 a.m. On February 28. That's when the mobs arrived, shouting '*Mian Bhai bahar nikalo*' (Bring out the Muslims). Many of them were wearing kesari chaddis (saffron shorts or underwear). The mob included boys from the neighbouring buildings – Gopinath Society and Gangotri society. I ran out of my house with the entire family – mother, father, sister, sister's daughter, my wife Zarina, my brother, my sister-in-law, and my niece... there were 11 of us. We all ran towards the Police chowki. The Police said, 'Go towards Gopinath and Gangotri'. In the melee, I was separated from my wife. What happened to her, she told me later. She tried to escape the mobs by leaping over a wall. But found herself in a cul-de-sac. They gang-raped her, and cut one arm. She was found naked. She was kept in the civil hospital for many days. Now she is recovering with her mother near the Khanpur darwaza.'

Source: Naimuddin Ibrahim Sheikh, 30-year-old husband of Zarina. Shah-e-Alam Camp. March 27, 2002. His family migrated from Gulbarga in Karnataka in 1971. He was born in Naroda. Naimuddin's testimony was corroborated by Mumtaz, who was among the women who found Zarina naked in the maidan.

Rape of 13-Year-Old Yasmin

Village Delol, Panchmahals District, March 1, 2002

The extended families of Mohammad Bhai and Bhuri Behn – about 20 people – were chased by the mob to the river. Javed and another boy who managed to escape and hide behind a bush saw the mob kill Mohammad Bhai and rape Yasmin. They were about to kill the mother of the other boy who was hiding with him. So he screamed and ran out from behind the bush and was caught. He was made to

walk around the dead bodies that were burnt (as if around a pyre) and he was then pushed into the fire.
Source: Women from Delol at Halol Camp, Panchmahals district, March 30, 2002.

Javed, Mohammad Bhai's nephew, had come to Delol to help his uncle. He had narrated this to several of the women from Delol. Javed has returned to his village, Desar.

STRIPPING AND BRUTALISING OF AN ENTIRE FAMILY, LIMKHEDA VILLAGE
Dherol Station, Halol Taluka, Panchmahals District, February 28, 2002

35-year-old Haseena Bibi Yasin Khan Pathan along with her entire extended family of 17 people ran from Limkheda on the morning of February 28th. At 7 a.m. they caught the train from Limkheda Station, disembarked at Dherol Station at 10 a.m. That's when they encountered the mob. Every one ran helter-skelter and the family got separated. Haseena, her husband and young daughter managed to run towards Halol. Two children, Farzana (10 years old) and Sikandar (7 years old) escaped into the fields. Four boys – Ayub (age 12), Mushtaq (age 12), Mohsin (age 10), and Shiraz (age 7) – managed to hide behind bushes, and witnessed what happened. There was a large crowd. They were wearing pant-shirt and brandishing swords. According to Ayub, the mob caught his sister Afsana and cousins Zebu, Noorjehan, Sitara, Akbar, Rehana, Yusuf, Imran, Khatun (aunt) and Zareef (brother). They were all stripped naked and made to run towards a nearby canal. That's the last Ayub saw of them. The bodies turned up charred near the canal the following day. He doesn't recognize the mob. No FIR has been lodged.
Source: Ayub, Halol Camp, Panchmahals District. The first part of the testimony is corroborated by his mother, Haseena Bibi.

ACTIVISTS EXPERIENCES OF DEALING WITH RAPE SURVIVORS
Shah-E-Alam Relief Camp, Ahmedabad

Naseem and Mahmooda, from nearby Millat Nagar, work with Sahrwaru, a voluntary organisation. They are presently working at the Shah Alam camp. They testified that many women arrived stark naked at the camp. Men took off their shirts to cover the women's nakedness. Some could barely walk because of torn genitals as a result of gang rapes. While taking to them we met Zubeida Apa, an elderly woman who has witnessed girls being gang-raped.

Her trauma was writ large on her face. We did not dare to rake up her pain by asking her more questions. We were told about Najma Bano who was brought to the camp unconscious, her body covered with bites and nail marks. She was bleeding profusely. Pieces of wood which had been shoved up her vagina were extricated by the women who dressed her wounds. Najma Bano herself was too traumatized to recount her own story. She says she does not remember anything except being chased by the men from Gangotri Society. Accounts like these require further follow-up.
Source: Naseem and Mehmooda, Millat Nagar.

The following testimonies have been taken from documentation supplied to the fact-finding team by Citizens Initiative, Ahmedabad:

MASS RAPE AND MURDER
Naroda Patia, February 28, 2002
'By now it was 6.30 in the evening. The mob caught my husband and hit him on his head twice with the sword. Then they threw petrol in his eyes and then burned him. My sister-in-law was stripped and raped. She had a three-month old baby in her lap. They threw petrol on her and the child was taken from her lap and thrown in the fire. My brother-in-law was also struck on the head with the sword and thrown in the fire. We were at the time hiding on the terrace of a building. My mother-in-law was unable to climb the stairs so she was on the ground floor with her four-year-old grandson. She told them to take away whatever money she had but to spare the children. They took away all the money and jewelry, then burnt the children with petrol. My mother-in-law was raped too. I witnessed all this. Unmarried girls from my street were stripped, raped and burnt. A 14-year-old girl was killed by piercing an iron rod into her stomach. The mayhem ended at 2.30 a.m. Then the ambulance came and I sat in it along with bodies of my husband and children. I have injury marks on my both my thighs and left hand, which were caused by the police beating. My husband (48% burns), my daughter (95% burns) both died in the hospital after three days. The police were on the spot but they were helping the mob. We fell at their feet but they said they were ordered from above not to help. Since the telephone wires were snapped we could not inform the fire brigade.'
Source: Jannat Sheikh, testimony to Citizens Initiative.

BILKEES: ACCOUNT OF A RAPE SURVIVOR

Randhikpur Village, District Dahod. March 3, 2002

Twenty-one year old Bilkees was five months pregnant. When Muslim houses in her village were attacked on February 28 by a mob comprising upper caste people from her own village and some outsiders, she and several of her family members fled. For two days they ran from village to village. At a mosque near Kuajher, her cousin Shamim delivered a baby. But there was no respite for them. They had to leave immediately, including Shamim who could barely walk, carrying her newborn baby.

'On March 3 we had started moving towards Panivela village, which was in a remote and hilly area. Suddenly we heard the sound of a vehicle. A truck came with people from our own village and outsiders too. We realised that they had not come to help us. They stopped us and then the madness started. They pulled my baby from my arms and threw her away. The other women and I were taken aside and raped. I was raped by three men. I was screaming all the time. They beat me and then left me for dead. When I regained consciousness I found I was alone. All around me were the dead bodies of my family, my baby girl, the newborn baby, their bodies were covered with the rocks and boulders used to kill them. I lay there the whole night and most of the next day. I do not know when I was conscious and when unconscious. Later I was found by a police squad from Limkheda police station. I was taken to the hospital and then brought to the Godhra camp.'

Source: Testimony to Aidwa and Anandi

Additonal facts about the case:

Her FIR has been filed and a medical examination done on the insistence of the District Collector, Jayanti Ravi, even though six days had passed. Rape has been confirmed.

She has named the people who killed her family members and those who raped her: Sailesh Bhatt, Mithesh Bhatt, Vijay Maurya, Pradeep Maurya, Lala Vakil, Lala Doctor, Naresh Maurya, Jaswant Nai and Govind Nai (the last three gang-raped her).

Initially all her family members were missing. Her father and husband have been traced to another camp at Dahod and her brother, Saeed, is with her in Godhra.

A META-NARRATIVE OF BESTIALITY

'But what they did to my sister-in-law's sister Kausar Bano was

horrific and heinous. She was 9 months pregnant. They cut open her belly, took out her foetus with a sword and threw it into a blazing fire. Then they burnt her as well.'
Source: Saira Banu, Naroda Patia (recorded at the Shah-e-Alam Camp on March 27, 2002).

During our fact-finding mission, we were to hear this story many times. We read about it in other fact-finding reports. We were told about it by many survivors at the Shah-e-Alam Camp. Sometimes the details would vary – the foetus was dashed to the ground, the foetus was slaughtered with a sword, the foetus was swung on the point of the sword and then thrown into a fire. Each teller of the story owned it. It was as if it was their own story. Were these simply the fevered imaginings of traumatized minds? We think not. Kausar's story has come to embody the numerous experiences of evil that were felt by the Muslims of Naroda Patia on February 28, 2002. In all instances where extreme violence is experienced collectively, meta-narratives are constructed. Each victim is part of the narrative of bestiality; a meta-narrative of helpless victimhood. There are a thousand Kausars.

Members of the fact-finding team have seen photographic evidence of the burnt bodies of a mother and a foetus lying on the mother's belly, as if torn from the uterus and left on the gash. We do not know if that was Kausar Bano.

B. Sexual Violence and the Media

In many ways women have been the central characters in the Gujarat carnage, and their bodies the battleground. The Gujarati vernacular press has been the agent provocateur. The story starts with Godhra, where out of the 58 Hindus burnt, 26 were women and 11 children. But to really arouse the passions of the Hindu mob, death is not enough. Far worse than death is the rape of Hindu women — for it is in and on the bodies of these women that the izzat (honour) of the community is vested. So on February 28, *Sandesh*, a leading Gujarati daily, in addition to reporting the Godhra tragedy in provocative language, also ran a story on Page 1 saying the following: '10–15 Hindu women were dragged away by a fanatic mob from the railway compartment, The same story was repeated on Page 16 with the heading 'Mob dragged away 8–10 women into the slums.' The story was entirely false. The police denied the incident, and other newspapers, including *The Times of*

India could not find confirmation of this news. A day later, on March 1, 2002 *Sandesh* carried a follow-up to his false story on Page 16 with the heading – 'Out of kidnapped young ladies from Sabarmati Express, dead bodies of two women recovered – breasts of women were cut off.' Violation of Hindu honour was now compounded by extreme sexual violence and bestiality. Both the abduction and the cutting of breasts were lies – totally baseless stories, which were denied by the police. The fact-finding team was told that later *Sandesh* did publish a small retraction, buried in some corner of its pages. But the damage had been done. The murder and rape of Hindu women, emblazoned in banner headlines across the vernacular press became the excuse, the emotional rallying point, the justification for brutalizing Muslim women and children in ways not ever seen in earlier communal carnages. *Unhonne hamari auroton aur bachchon par hamla kiya hai. Badla to lena tha* (they have attacked our women and children, we had to take revenge) – goes the sentiment of the angry Hindu. The newspaper literally became a weapon of war. According to a series of eyewitness accounts from Naroda Patia, the worst affected area in Ahmedabad, the mobs who attacked Muslim shops, homes, and brutalized Muslim women and children, were brandishing in their hands not only swords and stones, but copies of the *Sandesh* with the Godhra attack as the banner headline, shouting `*khoon ka badla khoon*' (blood for blood).

This one false story about the rape and brutalizing of Hindu women has spread like wildfire across Gujarat, almost assuming proportions of folklore. It now rests easily in the annals of undisputed common knowledge, and cannot be dislodged. Wherever the fact-finding team went, we heard some version of this story, spreading through word of mouth, through the channels of overworked rumour mills – sometimes it was 10 Hindu women raped, sometimes it was 6 Hindu women – but the essential contours remained the same. In one place we heard details like 'The Muslims took the Hindu women to their madrassa and gang-raped them there.' Because the madrassa is the site of learning raping women there projects the perpetrators as truly bestial men to whom nothing is sacred. In another village, Hindu women had been replaced by 'Adivasi women' and this was given as the justification for Adivasi participation in the attacks on Muslims.

When the fact-finding team met Aziz Tankarvi, editor of *Gujarat Today*, known to represent the Muslim voice, he said clearly, '*Murder*

ho jata hai, chot lagti hai, to aadmi chup sahan kar leta hai, lekin agar maa, behen, beti ke saath ziyadti hoti hai to voh jawaab dega, badla lega.' (When someone is murdered you are hurt. But man can bear it quietly; it is when mothers, sisters and daughters are violated, then he definitely responds, takes revenge). The fact that rape is perceived in this manner (as violating the honour of men, and not the integrity of women) is problematic in and of itself. What is particularly heinous is the fact that the *Sandesh* newspaper should fabricate stories of sexual violence, and use images of brutalized women's bodies as a weapon of war; in terrible ways deliberately designed to provoke real violence against women from the Muslim community. What provocative lies a la *Sandesh* do, is to provide justification for the carnage – both in the minds of the mobs who carry out the violence, and in the minds of the general Hindu public which may be far removed from the site of the violence.

Ironically while false stories about the rape of Hindu women have done the rounds, there has been virtual silence in the media, including in the English language papers, about the real stories of sexual violence against Muslim women. Barring *Gujarat Today*, none of the Gujarati vernacular papers has carried stories about the brutal, bestial ways in which Muslim women were raped and burnt. Even *Gujarat Today*, despite being sympathetic to the Muslim experience, could only supply us with one clipping where the brutal experience of rape has been written about. *The Times of India*, since the beginning of the carnage, until April 1, 2002, carried only one story about rape. The excuse was March 8, International Women's Day (*TOI*, 9/3/02, 'Women's Day Means Nothing for Rape Riot Victims'). When members of the fact-finding team spoke to senior journalists in Ahmedabad, their explanation was that rape stories are provocative, and that in the early days of the violence, they had to play a socially responsible role, and not incite more violence. But in the weeks that followed, the Press has continued to do self-censorship about rape stories.

We find that, yet again, Muslim women are being victimized twice over. They have suffered the most unimaginable forms of sexual abuse during the Gujarat carnage. And yet, there is no one willing to tell their stories to the world. Women's bodies have been employed as weapons in this war – either through grotesque image-making or as the site through which to dishonour men, and yet women are being asked to bear all this silently. Women do not want

more communal violence. But peace cannot be bought at the expense of the truth, or at the expense of women's right to tell the world what they have suffered in Gujarat.

SCARS ON THE MIND

Saira age 12, Afsana age 11, Naina, age 12, Anju, age 12, Rukhsat, age 9, Nilofer age 10, Nilofer age 9, Hena, age 11.

They're all survivors from the horrors of Naroda Patia in Ahmedabad where more than 80 people were burnt alive and many women raped and maimed in what is probably the worst carnage in the current spiral of violence. The girls are young and making sense of what they have seen and heard seems impossible. But they have been scarred for life, their trust in Hindus shattered. They speak of 'evil Hindus'. The Hindu who burnt our home. The Hindu who didn't let us escape.

Some of them have seen with their eyes things no child should see. Others have only heard things. But they are still things no child should hear. *Hinduon ne bura kaam kiya* (Hindus have done 'bad things' – a euphemism for rape), they tell us, as their eyes shift uneasily. They look at each other as if seeking silent affirmation of what none of them really comprehended.

Or, did they?

'Balatkaar' (rape) – they know this word. '*Mein bataoon Didi*' (shall I tell you?), volunteers a nine year old, '*Balatkaar ka matiab jab aurat ko nanga karte hain aur phir use jala dete hain.*' (Rape is when a woman is stripped naked and then burnt) And then looks fixedly at the floor, Only a child can tell it like it is. For this is what happened again and again in Naroda Patia – women were stripped, raped and burnt. Burning has now become an essential part of the meaning of rape.

Hindus hate us, they say.

Why?

Because we celebrate all their festivals – we play Holi, we love patakas at Diwali, but the Hindus can't celebrate our festivals. That's why they're jealous. So jealous that this year they did not even let us take out tazia processions (in fact the decision to not allow tazia processions on the 10th of Moharram was taken by the Muslim community itself, for fear of violence).

These girls became friends only in the camp, although they all grew up and lived in Naroda Patia. Now they will probably share a life-long unspoken bond of victimhood. But they are children still,

Resilient. Survivors. Their eyes still bright and curious. They even giggle occasionally, as they follow us around Shah-e-Alam, scampering easily over human beings scattered like debris around the relief camp. But will they ever forget? Will Naina, who once had scores of Hindu friends, have their again?

Venue: Shah-e-Alam Relief Camp, Ahmedabad
Date: March 27, 2002

SECTION II: WOMEN'S EXPERIENCES OF THE STATE

A. Political Complicity

Arre ye Narendra Modi ne hi sab kuch kiya. Hamara zindagi barbaad kiya. (That Narendra Modi, he did all this. He is the one who has ruined our lives). This is how the Muslim women of Gujarat see their Chief Minister – as the man who has ruined their lives forever. 'Sarkar (Government)? What sarkar?' they ask. In the words of countless women who have been devastated by the continuing violence, the State of Gujarat had simply disappeared when they needed it most. The State – including elected representatives, the political executive, the administration, and the police – abdicated its responsibility to protect all its citizens. Far worse, it actively connived in the maiming, raping, and butchering of hundreds of women and children of Gujarat. More than five weeks after the post-Godhra carnage began, no effort is being made to ensure punishment of the guilty. FIR s are not being lodged, compensation not given. The relief camps are running only through the efforts of the Muslim community, with occasional help from the government. Narendra Modi visited the Shah-e-Alam relief camp (among the largest housing over 10,000 refugees) for the first time when he accompanied the PM on April 4, 2002.

Maya Kodnani, BJP MLA

The fact-finding team met Maya Kodnani, the BJP MLA from Naroda Patia, one of the worst affected areas in Ahmedabad. She has also been named in an FIR as having participated in the Naroda Patia carnage on February 28, 2002.

She showed no remorse at the State abdicating responsibility. There was nothing the State could do, she says. 'There was a natural

ghrina (hatred) and aakrosh (anger) in the heart of every Hindu and we could not control it.'

Maya Kodnani's estimates of the size of the mobs that attacked Naroda Patia (50,000 to 1 lakh) far exceed the largest estimates given by eyewitnesses to the mob violence. Her claim, therefore, that the Police were 'utterly helpless' in the face of this flood of anger, appeared untenable.

Maya Kodnani found time to visit Ahmedabad Station to receive the bodies of the Godhra victims, who are not her constituents. But not once in over a month has she found time to visit the Muslim relief camps, where thousands of her constituents are strewn around like human debris.

Ms Kodnani denies even knowing where all her Muslim constituents have fled.

She also denies any knowledge about the large number of rapes having occurred at Naroda Patia during the mayhem.

She admitted that only 16 people were arrested in the Naroda Patia incidents, out of which only 5 or 6 remain in jail, while the rest have been released on bail.

Maya Kodnani claims that this kind of communal violence is part of *Gujarat ki prakruti* and *Gujarat ki taasir*, it is a natural part of life, and should be accepted as such.

She dismissed the FIR lodged against her as being false merely because it was filed 18 days after the violence. She claimed that Doordarshan had footage proving that she was elsewhere at the time. (A detailed account of the conversation with Maya Kodnani is attached in Annexure 2.1).

Nathiben: Mahila Sarpanch

Another case of State participation in the violence was provided by Laxmipura village in Khed Brahma Taluka of Sabarkantha District. The fact-finding team visited this village because it had a Mahila Sarpanch, Nathiben, whose husband and son have been identified as leading the mobs who torched Muslim homes on the evening of February 27, 2002.

Nathiben was clearly only a puppet Sarpanch. The de-facto Sarpanch was her husband Jitu Bhai Patel.

Jitubhai Patel and his son Ramesh Patel (both members of the local VHP unit) justified the torching of Muslim homes, saying Godhra was the beginning and that Muslims always start everything, never the Hindus. They also claimed that Muslims from

almost every village in Gujarat had gone to participate in the Godhra 'murders'.

The entire family – Nathiben, Jitu Bhai, and Ramesh – expressed a great deal of hatred for Muslims, and said that Muslims could only live in the village if they followed village tradition i.e. shaved their beards, stopped wearing caps etc.

Sarpanch Nathiben denied knowing the whereabouts of the Muslims who have been forced to flee Laxmipura.

A detailed account of the discussions in Laxmipura is attached as Annexure 2.2)

Keshubhai Patel, Sarpanch

While there are examples of elected representative actively participating in or condoning violence against Muslims, blaming it on an 'unstoppable flood of Hindu anger', the fact-finding team also found evidence that where State actors chose to protect Muslims, they managed to do so successfully. Chitroda Village in Khed Brahma Taluka provides an example. Here the Sarpanch Keshubhai Patel claims that he got anonymous phone calls from mob leaders trying to assess the level of support inside the village for their entry. He refused to allow the mobs to enter his village, or harm the 40 odd Muslim families in any way.

(A detailed account of the discussion with Sarpanch Keshubhai Patel is attached as Annexure 2.3).

The fact-finding team was convinced that mob violence was unleashed only in those areas where the mobs were sure of getting full support from local leaders and the state machinery.

B. Role of the Police

This time round in Gujarat, far more than in previous episodes of communal violence, women have been fair game. Forced out of burning homes, running for their lives on violent streets, they have been targeted not only by rampaging mobs hell bent on hurting every Muslim woman, man and child in sight, but far worse, by the police, whose job it was to protect them. Just as the mobs sought revenge on behalf of Hindu women (refer previous section on Sexual Violence) so too it appears did the police. This we have on the word of Gujarat's Chief Minister – 'Police are human beings as well,' he said, shortly after the carnage began, `and not inured to the sentiments of society'. Everywhere the fact-finding team went,

women narrated graphic, first-hand tales of police complicity.

Several accounts speak of policemen actively aiding, abetting, and in some cases leading the mobs. Video footage seen by the fact-finding team showed slogans like, *Yeh andar ki baat hai, Police hamare saath hai* (The inside story is that the police is on our side) – written boldly on the walls of gutted Muslim homes.

A pattern that was often repeated was that the police would open fire at the Muslims rather than at the mob which was attacking them.

In other cases, the police turned a deaf ear to cries of help, or simply told women, in so many words, that they did not have 'orders from above' to help them. Women and children were repeatedly turned away from police chowkis and stations and told to fend for themselves.

At best, the police would take a crowd of frightened Muslims and dump them in safer Muslim majority areas. The message was clear – 'Protecting Muslims is not our responsibility'. Other Muslims can look after them. Muslims were no longer citizens of the state.

In no instance did the fact-finding team hear of Mahila police being deployed in areas where women were being brutalized.

In a vast majority of the cases, FIRs have not been lodged. Several accounts say that the police simply refuse to lodge the FIR, saying, 'you don't have enough evidence, there is no case'.

Victims of sexual violence do not even have the confidence to approach the police, let alone walk the long path to evidence gathering and getting justice. In the words of one Muslim woman, 'Yeh to Hinduon ki police hai.' (This is a Hindu police).

Muslim women surviving in relief camps across the state are not the only ones who dread the police. Outside the camps, in several Muslim dominated areas in Ahmedabad, they live in forced imprisonment and constant terror of another kind. Curfew has been imposed in these areas, including Millat Nagar, visited by the fact-finding team. Under the guise of 'combing operations' the police are picking up young Muslim boys at random. Mothers live in constant fear.

In order to protect their men, women are being forced to venture out of their homes for daily chores, and encountering the police. The fact-finding team heard specific accounts of continuing police atrocities – of women being severely beaten or killed in police firing.

However, even in its worst moment, there remained in Gujarat

isolated pockets of calm where the police and the administration stood firm, giving the lie to the theory that the post-Godhra carnage was an unstoppable case of spontaneous communal combustion. For example, no casualties have been reported from Panchmahals District since March 5, including in Godhra town where the spiral of violence first started and which has a long history of communal tension. The fact-finding team believes that this is in large part due to the sincere efforts of the District Collector Jayanti Ravi in ensuring that law and order is maintained.

SECTION III: IN THE WAKE OF VIOLENCE

The violence in Gujarat has left in its wake deprivation, despondency, and desperation. Islands of survivors huddle together across the state in miserable relief camps, in both urban and rural areas. They have become a truly ghettoised people, in body and mind. Betrayed by neighbours and friends, left for dead by the State, they trust only each other. Ghettoisation, once only an urban scourge, is now the rural future as well, Sudden economic destitution is hitting women hard. Those who have lost the family income earner look at their children with despair and fear for their future. Single women and widows, who had acquired economic independence, now rely on community patriarchs for survival. Their life savings are burnt. Meanwhile VHP/Bajrang Dal workers roam the countryside, free from fear of punishment. Women activists who need to be out there, helping rape survivors, speaking to widows, giving relief, lodging FIRs, work under constant threat to their lives. And a discredited Government speaks of setting up Peace Committees.

A. Visiting The Camps

There are over 1,00,000 refugees in Gujarat today, among them many women and children. The fact-finding team visited 7 relief camps in both urban and rural areas

Relief Camp	*No. of Women*	*No. of Men*	*No. of Children*	*Total*
Shah-e-Alam (Urban)	2744	3008	4755	10, 537
Qutb-e-Alam (Urban)	378	355	495	1228
Ramayan (Rural)	128	142	153	423
Memdabad (Rural)	500 (approx)	500 (approx)	500 (approx)	1500 (approx)

Vadali (Rural)	620	560	597	1777
Halol (Rural)	449	444	177	1070
Kalol (Rural)	674	667	910	2500

These figures are changing everyday, as people leave to seek sanctuary with relatives, or as new people, particularly in rural areas, finally make their way to the camp.

First Impressions

The Shah-e-Alam Camp is located in the Shah-e-Alam Dargah. It is approached through an ancient gate which opens into a large courtyard-type clearing. Near the entrance there are twenty-two toilets for 2200 families or 8000–10,000 inmates. The thick stench is nauseating. As we enter and remove our sandals the flagstones burn the soles of our feet. On the left there is a large room, which serves as an office cum meeting place. People are milling all around. Women, men, children of all ages are scattered across the floor of the Dargah. The muezzin calls them to prayer. Not many respond. They are a company of broken people.

The Vadali Camp is no more than a large open maidan with a cloth shamiana strung overhead. It provides little protection from the heat. The sides are open. When we visited, several hundred women were sitting huddled together in small groups. The maidan is in front of a new defunct cinema hall – the Veena Cinema. At night over 600 women, and nearly 600 children crowd into the premises of the cinema to sleep. The men sleep outside. The toilets are inadequate and the entire compound is slowly becoming a large latrine. They have been living like this for over a month. The only politician to visit is a local Congress leader – he came once. We are the first women visitors.

B. GHETTOIZATION: THE RURAL EXPERIENCE

Yudh ho gaya hai (war has broken out) – said a woman in Panchmahals, witnessing communal carnage in rural Gujarat for the first time. In urban areas like Ahmedabad, Muslim ghettos had already been created for a variety of reasons – Juhapura, Naroda Patia – ali Muslim areas. This time around rural ghettos are being born. Muslims are flocking in from the countryside to the nearest urban settlements, swelling the numbers in the Muslim majority areas.

A Community Betrayed

Women testified to feeling an acute sense of betrayal. They feel betrayed by neighbours, friends, people they have lived with, celebrated festivals with, done business with. These people, along with mobs from the outside, looted, killed and burned their homes and families. How do you re-build that trust?

'I asked my neighbout Hira Bai for some water. I was told "*Aaj to pani nahin, aaj to marna hai.*" (No water today. Today is for dying)' Zahida Bano, Naroda Patia, Ahmedabad.

'How can we go back? The violence is still continuing. Our house was not burnt earlier. It was burnt 4 days ago.' She was clear the violence was masterminded by Dinesh Bhai the deputy sarpanch. According to her testimony, at around 5 p.m. on February 28. Dinesh came and told several of them that nothing would happen. 'Then they burnt many Muslim houses that night.' Ava bi, Mudeti village.

'Of course I can recognize them. I saw them every day. I grew up with them. Now with my work I know everybody here. What could I tell them – don't kill me, you've seen me every day of my life.' Saira, Vadali camp; works with Centre for Social Justice

Rural Relief Camps: Muslims should look after other Muslims

The process of ghettoisation has begun with the rural relief camps. Camps have sprung up wherever people ran to safety, and they invariably ran towards Muslim dominated areas. The idea of 'safety in numbers' was never so acutely experienced. In each case, it has been local Muslim community leaders who have provided shelter, made arrangements to feed and house hundreds and thousands of people. In some cases food rations are being supplied by the Government. But hardly any Government officials or elected representative have visited. The message is clear: Muslimis are not the responsibility of the State. Muslims should look after other Muslims.

The Vadali Relief Camp (Sabarkantha District), for example, is being run by the Muslim Paanch Jamaat. This includes leaders from five Muslim communities: Pathan, Lohar, Memon, Mansuri, and Sipahi. The overall camp coordinator is Amanullah Khan, a local Congress leader, referred to as Chacha (Uncle) by the camp residents. Amanullah Chacha was responsible for making phone calls to be Khed Brahma Police Station and ensuring that many stranded Muslims were transported to the safety of the camp. The maidan where the camp is located adjoins a large Mansuri settlement in

Vadali. The presence of large numbers of Muslims in the neighbourhood is reassuring for the camp residents. Many Mansuri refugees have even found temporary shelter through an extended kinship network in the Mansuri settlement itself. The Vadali camp is providing shelter to a rural population spread across large distances – and including many villages in Khed Brahma, Vadali, Bhiloda, Modasa, Vijaynagar, Idar, and even Arad (in Banaskantha District) among others.

Kinship networks have been instrumental in operationalising many rural relief camps. Take the Ramayan Relief Camp (Sabarkantha district), for example, Ramayan (along with its twin village Mahabharat) is a Muslim majority gram panchayat, with a Muslim Sarpanch – Sattar Bhai Jamal Bhai. Nearly 500 refugees have gathered here from a radius of up to 50 km, mostly relatives from neighbouring villages. The camp itself is unlike Vadali. Here the refugees have taken shelter in the homes of extended kin members. It is only for meals that they gather in a large hall and are fed from a common kitchen. Until 10 or 12 years ago, the village was called Pratapgarh. Then the villagers saw the TV serials – Ramayan and Mahabharat. They loved the Hindu epics so much that they decided to re-christen their village. One wonders if they would they ever do the same again?

The Kalol Relief Camp is being run by leaders from the Muslim Ghachi community. When the trouble first started Muslims from surrounding villages started flooding the Muslim dominated mohallah (neighbourhood) in Kalol town. From March to March 7 the galis (narrow lanes) of the entire mohalla had turned into a relief camp. The refugees simply lived out the open for seven days without any shelter – a scared flock, seeking safety in Muslim surroundings. Some refugees found place in the madrassa, inside the masjid, and some in homes. The camp coordinators claim that it was only by putting pressure on Congress leaders Amarsinh Chaudhary and Ahmed Patel, that they managed to get Government permission to use a large maidan in town. Today the maidan houses over 2500. The Government supplies rice, wheat, sugar, and oil. A government mobile ambulance visits the camp once a day.

Unlike urban camps, particularly Shah-e-Alam Camp in Ahmedabad, which has been visited by many, most rural camps have had few, if any, visits by outsiders. Many are located in remote areas, a long, dusty drive away from big towns and cities. Visits by outsiders, especially from the majority community, have been rare.

One woman in Halol Camp, which had not had any visitors, said, *Bahar ke log bhi hamare bare mein soch rahe hain hame nahin malum tha. Ab to hum ek kone mein ho gaye hain, sab ke nazron ke bahar*. (We didn't know that people outside are even aware of our existence. We have been shunted into a corner now, removed from the eyes of the world) What is most striking in rural relief camps is the need for the refugees to speak. Women, in particular, have not had a chance to share their experiences with anyone. There is desperation in the way they respond to a sympathetic ear, and reach out towards an outstretched hand.

Long journey to Safety

In order to reach the sanctuary of these Muslim majority areas in rural Gujarat people have been forced to take refuge in jungles, forests, and fields for days on end, as they inch their way gradually towards safety. In Halol Camp (Panchmahals) for example, one woman had come to the camp only on the day the fact-finding team visited, after hiding in fields for 24 days.

Testimonies from Panchmahals District:

Fatima Bibi, who was visiting her sister in Eral village, said she hid in the forests for 4 days. She ran out of her home to escape the mob on the 1st and reached Halol camp on the 5th.

Kulsum Bibi, also from Eral, where there are about 40-45 Muslim families, had walked several kilometres and some had spent several days hiding in forests and fields, without food and water.

Mumtaz, of Ranjit Nagar, reached the camp on the 29th, after walking several hundred km and 24 days after she had left her village. She and her family, which included her husband, her in-laws and 3 children, fled their home when the mob arrived on the 28th. They first hid in nearby fields for two days and then kept on moving from village to village in search of a safe haven. They kept moving as everywhere they reached there was tension. They could see fires. (Mumtaz's feet were swollen and full of blisters.)

Cultural Oppression

The pressure to conform culturally in order to survive has become part of the fear psychosis of women. The fact finding team heard many testimonies where rural Muslim women had to adopt 'Hindu' attire – shun their salwar kameez in favour of sarees; and wear bindis in order to escape to safety. Wearing a bindi or not wearing

one – such a small gesture and yet so large when seen against the firelight of over 200 burning mosques and dargahs across the length and breadth of Gujarat.

'The Malav hospital refused to provide protection. Ranjitpur is not far from Halol but as things were already tense we could not take the direct route. As a result we kept moving further and further away from Halot. Finally we disguised ourselves as "Hindus" My mother-in-law and I wore sarees and bindis. We changed our names. My husband became Ramlal, my mother-in-law Sharda, my father-in-law was Amritbhai, and my children were Ramesh, Raju and Suneeta.' Mumtaz, of Ranjit Nagar, now a refugee in Halol Camp. March 30, 2002.

Point of No Return

Most people met by the fact-finding team stated clearly that they were unwilling to return to their villages. The scattered positioning of Muslim homes in the villages makes them feel insecure, particularly since most refugees come from villages where they are a tiny minority, vulnerable to attack at any time. Futile attempts to return since the carnage began, have only strengthened their conviction that they can only make a future for themselves in Muslim majority areas.

Responses from Ramayan Camp

In the beginning there were 625 residents in the camp. About 35 attempted to return home but most have now come back to the camp. The Goral Sarpanch came with about 10 people to call the Muslims back. But once they reached the village, seeing the atmosphere there, he himself asked them to return. '*Ab aap 7–8 din ke liye chale jao. Phir vapas ana.*' (Perhaps you should go away for another 7–8 days, and then return).

Suraiya, wife of Samad, was also emphatic that they could not go back. She said that when people have tried to go back they have been told in no uncertain terms – do not come back. We do not want Muslims here. She said, '*jab vapas gaye kisi ne bola hi nahin.*' (When we went back, no one in the village even spoke to us).

Responses from Vadali Camp

'From Idar, Bilora, Arad and Vijayanagar, the sarpanches came and took people back, assuring us that everything was calm. And we could return home. In Banaskantha about 600 Muslims went back

with their Hindu Sarpanches. Some came back during Holi fearing tension. Some will return after that.' Amanullah Khan

Dakshaben, the Sarpanch of Goral, sent her husband, Jashubhai to bring back some of the Muslims. Mansouri bhai returned but on 19th March a crowd of about 2000 came and beat him up. 'Two durbars fired shots in the air, which frightened the mob. They saved my life but I lost everything – a tractor, three shops, goods worth 3 lakhs. Now I stand here on the road with nothing.' Mansouri Bhai.

'What can we think? If we go back we will be killed. We are terrified. They have warned us. We don't expect anything from Narendra Modi. The only way we will survive is if we all live together. It is when we are dispersed and living in small numbers that we are attacked. If the government gives us land somewhere we will relocate. In fact we are thinking of asking the government to give us some land near Khed Brahma.' Mansouri Bhai No. 2.

Fear and Muslim Women

The impact of fear on Muslim women can already be seen. With the entire community under threat, women in particular are paying the price – with their freedom and mobility. Mothers fear for the safety of daughters. Husbands fear for wives. And the first response to fear is the imposition of restrictions. As Muslim communities ghettoize, there is danger of further ghettoization of women within the home. With entire families forced to migrate, the education of girls is suffering. Clearly when lives are in danger, this is not a priority. Ila Pathak, a leading social worker in Ahmedabad, told members of the fact-finding team, that her experience with forced migration indicated that mothers are often found to be more educated than daughters for precisely this reason. Gains of emancipation are being slowly eroded. Muslim women's voices are already being stifled. One can see this in the camps. Community patriarchs are in charge, and one sees no signs of women being part of the decision-making. But then this is an hour of crisis for the community as a whole. Some might call it churlish to raise issues of emancipation at a time like this. Women's issues will have to wait for more peaceful times.

Rizwana is 26 years old. An advocate, she lives in Vatva with her parents. She has experienced animosity many times while attending court. A couple of years ago there was a stabbing incident – one of the girls in court remarked. *Tum log to bahut stabbing karte hon.*

Seekhe honge. ('You people do a lot of stabbing, You must have learnt it") An action by one individual would be attributed to the entire community. The Indo-Pak cricket matches would always become points of tension – '*Kuch bhi ho to Pakistan ka zikr karte hain.*' (No matter what happens, they always raise the issue of Pakistan). Eight percent of the advocates in the court are Muslim. Once it so happened that at one particular meeting most of the advocates who attended were Muslims. A Senior Advocate walked into the room and remarked, '*Yeh to Pakistan ka court lag raha hai.*' (This is looking like a Pakistani court') I used to feel, '*Hum to Hindustani hain – please humko aisa mat bolo*' (We are Indian, Please don't say things like this to us).

She hasn't been to the city civil court where she praticises since February 27, 2002. 'I normally I go by scooter. I could go, but if I don't come back then what is the point. They haven't spared women and children this time. Women are not going to be allowed to roam about freely for a long time.'

What was she feeling? Anger, helplessness and desire for badla (revenge)? She looked started by the word badla. 'Our people are laachaar (broken). They are not able to do anything'. '*Agar badla ka saval tha to kab ka le chuke hote.*' (If it was a question of revenge we would have taken it long ago). '*Ab to woh din yaad hain jab hum free the. Scooter le kar kahin bhi chale iate the. Ab to quaid ho gaye hain apne hi shaher mein. Badla nahin, logon ko phir se jeena hain.*' (Now I can only think wistfully of the time when I was free. I would hop on my scooter and go wherever I pleased. Now we are prisoners in our own city. People don't need revenge. They need to live again). Rizwana, Vatva, Ahmedabad, March 27, 2002

C. ECONOMIC DESTITUTION

The economic targeting of Muslims in the current violence in Gujarat is unprecedented. A drive down any street in an affected area will confirm this. Muslim businesses in both urban and rural areas have been systematically destroyed. Scores of women that the fact-finding team met have lost everything overnight except the clothes on their back Shops were burnt and homes looted of everything. Many women kept repeating long lists of the possessions they had lost. Some insisted that we write down everything. The psychological impact of this sudden destitution has been brutal.

Innocence in the Time of War

'Adivasis took away everything,' says Shaheen, in a soft voice, looking shyly at the floor, as if embarrassed at complaining to a stranger. She's little. Sonu, her parents call her. Only 7 years old. And she can't understand why her loss is less important than others. Resentment is barely concealed in her innocent eyes. Because the looters who attacked he village, snatched away her most prized possessions – her toys. '*Ek cycle thi*' (I had a cycle), she says. But lest we don't appreciate the full extent of her loss, she quickly adds '*Doosri cycle bhi thi*' (I also had another cycle). Now she's unstoppable. In barely audible tones, the list starts pouring out of her mouth – '*Ek ek vimaan. Ek choolah bhi tha. Chooleh pe roti banate the. Gudiya bhi thi.*' (One chair, one aeroplane, one stove. I used to make rotis on my stove. I also had a doll) Are Hindus bad? We ask? Yes, she nods, followed by a quick 'No'. She thinks of Anita and Kamal, her friends in the village school in Atasumba. They are Hindus. She misses them. Ramayan Camp. March 28, 2002

Creation of Female Headed Households and Destitution of Single Women

An immediate impact of the violence is the creation of female-headed households. In many cases entire families have been killed. Women testified to having witnessed several members of their family dying. They were dealing not only with the trauma of this loss, but facing a future with their life's savings and livelihood sources destroyed. For those who were already surviving as single women (including widows) before the violence, the future is equally bleak. Having struggled to gain economic solvency, they are back to being destitute.

Ayesha Bibi, Shah-e-Alam Camp, Ahmedabad. March 27, 2002:
'They killed my husband. He was a rickshaw puller. My brother was shot. They tear-gassed us. I have four children.'

Juleha bi, Shah-e-Alam Camp, Ahmedabad, March 27, 2002:
She too witnessed her husband's death. 'He was burnt in front of the Police line. If the police had taken them inside this would never have happened. In earlier riots nothing happened because the SRP helped. I have 6 children to be bring up on my own.'

Mumtaz, Ramayan Camp, Sabarkantha District. March 28, 2002: My husband Karim Bhai died 12 years ago. I have one son. He is 12 years old. I work as a domestic servant to support myself and feed my son. On Friday around 7.30 p.m. the mob came. They were about 150 people. All with their faces covered. 'Our' Muslims had 56 houses and 7 shops. All of us ran for our lives. The durbars hid us in their houses and gave us food. In the morning they told us, 'You'd better run for safety somewhere else. From the durbars' houses we could see everything. First they looted everything. Then they burnt our houses and shops. Where can I go from here?'

Kulsum, Ramayan Camp, Sabarkantha district. March 28, 2002: 'My husband left me five years ago. I had a small gala (stall/shop) selling a variety of things – *saag bhaji* (vegetables) and bangles. I was managing on my income. Then came the attack on my village Munal, which has only 15 Muslim homes. The Patels and Adivasis destroyed everything. My neighbours (Rajputs) prevented my house from being burnt, and they even hid me for a while, but my gala was burnt. I have come to the camp along with my husband's older brother and his wife who also lived in Munal. I have 3 children to support.'

D. New Rural Divides

The rural experience of the communal carnage has been only marginally different from the urban story. The mobs have been smaller than generally reported in big cities – sometimes as small as 50, and the largest–500 to 1000 strong. In one incident the attackers arrived in 8–10 tractors. A common factor in both urban and rural testimonies heard by the fact-finding team is, that in a majority of cases the victims recognise the attackers – they have been people from the village, usually accompanied by a mob from the outside. What is new this time is the large-scale involvement of Adivasis in the attacks on Muslims.

Dherol village with about 5000 residents has a mixed population. The Muslims are Ghachi, Memon, Pathan and the Hindus are Harijans, Darbars, Thakeras, Adivasis, and Darjis, among others, Kachi Patels live in the Dherol Kampa (a hamlet). 45-year-old Kanija Ghachi has a small 'gehoon, shakkar, chai ki dukaan' (a small provision store) which she runs about 8 km away from the village. According to her, the first round of violence started a year and a

half ago. A Bajrang Dal rally went berserk and attacked the masjid. The main people behind the rally were the Kachi Patels from the Kampa. They want to break our masjid and build a mandir in its place, she says. At that time also Kanija ran from the village. This time it's the same story. Again the Kachi Patels. The man to blame is Dhanji Bhai Patel, a Kachi. He told the Adivasis – kill Muslims, we'll give you money. Kanija heard this from Kalabhai Damor and Parthabhai Damor (father and son) – the Damors are also Adivasis. That's how they know the inside story – that Dhanjibhai is enticing Adivasis. This time in the violence they brought in Adivasis from other villages as well to attack us – from Jher, Khaariberi, Beria. '*Patel ne unko aage kiya. Daru pilaya khana khilaya. Khush rakha. Aur bola – maar do saalon ko.*' (The Patels put the Adivasis in front. Fed them booze and food. Kept them happy, and said kill the bastards – meaning Muslims).

'All the Muslim homes are burnt. No Hindu came to help us. Where there are Patels, no Hindu comes to help.' Kanija Ghachi, Resident of Dherol village. Vadali Relief Camp, March 28, 2002.

Several testimonies in Sabarkantha district named Kachi Patels as the community that instigated violence. Some people maintained that in villages where there was no Kachi Patel community there has been no violence. They said that this time the objective of the Kachi Patels was to economically destroy the Muslim shops and small businesses and take them over. According to Camp residents, the Bajrang Dal actively recruits members from that community. Many people in their testimonies stated that this time the Adivasis were merely used (*unko mohtaj banaya*) by the Patels.

The Patels have used the Adivasis. For 2 years there have been no rains, so the Adivasis are economically in a bad shape. But they have gained little from the looting. The Kachi Patels looted the fridges, washing machines, TVs and simply blamed it on the Adivasis. A few days ago some Adivasis leaders, Kalji Bhai Kataria and Anil Bhai Joshiara called a meeting to address this issue of Adivasi involvement. They demanded a police combing operation in the area. 'Those Patels are using our name,' they declared. 'Search all the houses and see where the looted TVs and refrigerators are hidden – Adivasi houses or Patel houses? The Adivasis were simply given alcohol and told "go loot the Muslim houses. Kill them, burn everything". Everything valuable from looting is sitting in the Patels houses.' *Samas Lohar, Ramayan Camp.*

The fact finding team spoke on the phone with Anil Joshiara, an Adivasi leader (mentioned in Samad's testimony above). He confirmed that he had demanded police combing operations to prove that Adivasis have gained little from the looting except a bad name. He claimed that the Adivasis who were involved in the violence were only misguided youth.

E. VHP AND BAJRANG DAL: WOMEN'S EXPERIENCES

In testimony after testimony, people identified by name members of the Bajrang Dal and Vishwa Hindu Parishad involved in inciting and committing violence. The fact-finding team spoke with women activists and victims in the camps about their views on the growing polarisation between the Hindu and Muslim communities. Both sets of people linked it to the aggressive agenda of the Sangh Parivar – particularly the Bajrang Dal, Vishwa Hindu Parishad and, in some cases, the Shiv Sena. In the rural context, women directly linked a rise in tension with the establishment of local units of the Bajrang Dal and the VHP. They spoke of meetings organized by these groups, and the arms they distributed at these meetings. Many believe that the tension has really escalated in the last six months. For instance Jayanti Ravi, Collector Panchmahals, confirmed that in October–November 2001, (near the time of Navratri), there had been tension in the area. Around that time several activities like Ramdhun and trishul distribution programme had been organized. Women activists have been directly threatened by these organizations.

ACCOUNTS OF WOMEN ACTIVISTS

Sahivar Stree Sangathan, Vadodara

Activists from the Sangathan told the fact-finding team about the pattern of indoctrination by the Sangh Parivar. Whenever they find that an area is relatively peaceful, they begin organizing meetings to instigate the residents. They make a practice of sending bangles wrapped in red cloth to areas which have remained peaceful despite having some Muslim homes. The message is clear, shaming them for their femininity, implying that they are gutless for allowing Muslim houses to remain intact. (Many other people we spoke with also referred to this practice of sending bangles). In areas like Bhavnagar and Surendranagar, for example, bangles were placed in a prominent central place. Neighbourhood meetings are then

organised with the insistence that representatives from all nearby colonies should attend. The message given is that they should 'do something' in terms of destroying Muslims. 'Even if you get arrested we will take care of you'. At these meetings cell phone numbers are given for people to collect `sadhan', meaning weapons such as talwars and knives for `self defence'. The gist of the anti-Muslim message that is imparted is as follows:

- The government has been pampering the very people — Muslims – who have done 'atyachar' on us. For instance, the government sends them for Haj.
- In actual fact, it is the Hindus who are oppressed and exploited.
- Population wise they will soon out-number us.
- In madrassas, they preach 'aatank' (terrorism)
- They are anti-India, pro-Pakistan. During cricket matches they cheer for the Pakistan team.

A Women's Organization, Panchmahals

A women's organization that works in Panchmahals and Saurashtra said that the VHP has accused them of converting people to Christianity even though there is not a single Christian in their team. In fact, they have registered a case against us, one activist said. The four founding members of our organization are Hindu but our organization is secular. The VHP does not like our work because we have been able to mobilize poor, tribal women and these women have not been drawn into their network. We are worried about the safety of our women activists who travel around on lonely roads on scooters. The VHP employs goons to threaten and attack women. They've tasted blood, having raped, killed, burnt and looted and go around absolutely scot-free with no fear of punishment.

Accounts From the Relief Camps

Qutb-e-Alam Dargah Camp. Vatva, Ahmedabad

'Every time there is a cricket match with Pakistan there is tension. But we have been feeling the tension for the past six months to a year, as the Bajrang Dal has become strong here. *Raat ko nare lagate hain, lathi lekar practice karte hain. Inka leader Mahesh Patel hai. Inhone sab kuch karaya* (They shout slogans at night, they practice with their sticks. Their leader is Mahesh Patel. He was responsible for all the violence).' Saira.

'The Bajrang Dal has regular meetings at night. Their membership is mainly young boys. For the past 6 months they have been regularly stoning our houses, usually after their meeting, when they are in an excited mood.' (We were taken to see some of these houses.) 'We used to feel that we should just put up with it, because we have to live here. *Par kya phaida hua, 6 maheene tak sahan kara. Ab yeh kara.* (But we gained nothing. We bore it for 6 months and we have now had to suffer this violence).' Azizunissa and Bilkis Bano.

Vadali Relief Camp, Khed Brahma, Sabarkantha

Several of the women in the group mentioned there had been a escalation in tension between the two communities over the past few months. They all talked of an incident around Shab-e-barat. 3-4 months ago, when there had been stone-throwing.

'In the last 2-3 years there have been about three incidents. In the last few months we have noticed the Bajrang Dal getting more aggressive. Jatin Bavchi Shastri used to go around saying, "We do not want Muslims here". About 4–5 months ago at the time of Shab-e-barat, a mob of about 40 had surrounded our house and there had been stone-throwing. We never used to pay much attention to these incidents. We had become quite used to them. Besides these incidents we had a decent relationship with the Hindus. I never know they had so much hatred towards us or where it came from. When I think of what has happened... 50 years of earning reduced to the clothes I have on now... *yaad karte hain to kaleja phat ta hain.* (When I think of what has happened, my heart breaks).' Imam Bibi Kamluddin Luhar.

'We could see trouble coming. Some time ago, they complained about our namaaz. They said it was disturbing. Then the police advised us to use the loudspeaker only three times a day. We thought, O.K. why invite trouble. We cut out the loudspeaker for all 5 namaaz readings. But the men kept on insulting us. Picking on us, starting quarrels, On Feb. 28 they told us "You'd better keep lots of milk in your house. We are coming for chai." When they came we sensed there would be trouble. The Patels came and sat down to drink chai. Then the mobs with the Adivasis came. The Patels said "Get out or they'll kill you." They burnt the house. They were carrying petrol, kerosene and tyres. Our businesses are finished. Our houses burnt. Where can we go? When we go to see our houses, they say, 'We'll cut you up.' The Bajrang Dal gives them trishuls

and talwars. The Deputy Sarpanch Dinesh Kumar Narpat bhai Desai has a 12-bore gun. The DySP Solanki saab is a VHP leader, he will not take action at all or help us.' Sattar Bhai.

F. Small Rays Of Hope

Everywhere the fact-finding team went, we heard cases of ordinary Hindus and Adivasis protecting Muslims. This was also true of urban areas. These were small but significant moments in our fact-finding mission – signs of humanity and compassion in the otherwise overwhelming narrative of hate.

Krishan Nagar, a semi slum cluster in Vadodara, is inhabited by poor Hindu and equally poor Muslim families. The fact-finding team visited the home of Shri Pillai who is responsible for saving the lives of 500 Muslims of the area by hiding them in his house. He and his wife heard of the impending attack by the mob while they were at a Muslim barat (Hindus and Muslims were attending each others functions). Apprehending trouble, Pillai along with his 3 brothers, started quietly to bring Muslim families into his house. Between all the brothers they kept them for 24 hours, fed them and left them in safety at the Qureshi Jamatkhana.

In Sabarkantha and Panchmahals many women and children received help from members of the Adivasi community when they were hiding from mobs in the forest.

'I ran into the jungle with my children and wandered there for 6 days. On the 7th day the Damors (adivasis) found us, and took us in for two days. They fed the entire group of refugees from Dherol. There were 13 of us they saved.' Kanija Ghachi. Resident of Dherol village. Vadali Camp. March 28th, 2002.

'My sister Farzana and brother Sikandar had escaped into the fields. I watched the mob strip and beat my extended family along with my cousins Mushtaq, Mohsin, and Shiraz from behind some bushes. Then as we also ran towards the fields, a Kaka (a Baria man) pointed us in the direction of the makka khet (maize field) that my brother and sister had run into. When night fell, Sikandar and Shiraz started crying from hunger and thirst. We saw a torch-light. Kaka and his wife had come to get us. They kept us and fed us for 7 days. Kaka also went and spoke to local sarpanches and leaders. He located my mother who had escaped to Halol. That's how we came here.' Ayub, 12 years, Resident of Limkheda Village. Halol Camp. March 30, 2002. (for more details of this testimony

refer Section I: Sexual Violence Against Women).

Most of this help was given in the form of temporary shelter, food, and assistance with escaping. Clearly many of those giving refuge also feared the mobs, and did not want to take on the permanent responsibility of the fleeing Muslims.

Fatima (Halol Camp) reported that when they ran out of their homes on February 28 they had taken refuge in a Baria's home. But the mob followed them there and the next morning they were asked to leave. Similarly Halima Yusuf Bhai was washing clothes when she saw a mob of nearly 1000 people approaching. She ran and took shelter in the home of a Baria, whom she did not know very well. There she found others. She later found out that his name was Manubhai Baria. He escorted them to the Tempo on which nearly 40 of them went to Halol, Kulsum Bibi and nearly 50 others were given refuge by Rohitbhai Suthar. All of them spent the night in his attic.

G. STATE RESPONSE

Are Peace Committees the Solution?

One of the strategies proposed by the State Government to deal with the aftermath of violence in rural areas, is to set up Peace Committees that will engage in confidence-building measures. According to Jayanti Ravi, District Collector. Panchmahals, the Government was focussing on 'motivating people to return home.' When told that not a single person whom the fact-finding team met considered return a real possibility, she said the government's task was to convince the minority community that what has happened is an aberration. Not everyone in the majority community is against them. The strategy is to hold meetings in village with community leaders, form peace committee and gradually get the refugees to go back. The District Collector's office is drawing up list of villages and community leaders from both communities who can play a catalyst role. No peace committees have been set up yet.

Section IV: VIOLATION OF INTERNATIONAL INSTRUMENTS

The fact-finding team found that the State had failed in its foremost responsibility of implementing international Human Rights norms and instruments as they related to violence per se, especially

violence against women. These include, among others, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the Conventions against Torture and other Cruel, Inhumane or Degrading Treatment or Punishment, Convention on the Prevention and Punishment of the Crime of Genocide.

Section V: CONCLUSIONS AND RECOMMENDATIONS

Things fall apart; the centre cannot hold,
Mere anarchy is loosed upon the world
The blood-dimmed tide is loosed, and everywhere
The ceremony of innocence is drowned;
The best lack all conviction, while the worst
Are full of passionate intensity.

W.B. Yeats 'The Second Coming'

The conclusions of the fact-finding team stem on the one hand from eyewitness accounts, interviews, research and data collection during our visit to 5 districts of Gujarat from March 27 to 31 2002, and on the other from India's Constitution, which guarantees all Indian citizens the right to protection of life and personal liberty (Article 21), the prohibition of discrimination on grounds of religion (Article 15) and the equality of all persons before the law (Article 14).

Having unequivocally condemned the Godhra carnage and the barbaric acts of killing and terror wreaked on innocent Muslims by communalised mobs in Ahmedabad and other areas in Gujarat, we aver that what happened post-Godhra in Gujarat was in the nature of a pogrom in its essential design and has the makings of a larger agenda for the subjugation, crushing and elimination of religious minorities. While nothing can justify or rationalize inhuman acts such as the burning of the bogie near Godhra railway station, it is clear that the intelligence of the State government failed in its responsibility to forewarn. Not only that. Its aforesaid failure enabled communal elements to take hold of the state. Our findings reveal that the post-Godhra carnage did not happen as a spontaneous reaction to burning one bogie of the Sabarmati Express, but that it was a calculated response, the culmination of a hate campaign carried on for more than a decade to promote the Hindutva ideology.

General Recommendations

1. Immediate removal of the Chief Minister and imposition of President's rule.
2. Immediate conviction of all those criminals who killed, burnt, maimed and looted ordinary citizens, from the top down, not sparing high executives, senior public servants and police officials.
3. Examination of the role of the State, including the political executive, in planning, abetting, or containing the violence in Gujarat after February 28, 2002. Charges to be framed accordingly and action taken.
4. Immediate setting up of Special courts, with non-partisan judges from outside Gujarat, for trying the cases on a daily basis and delivering quick justice. The victims to be given state assistance for legal battles.
5. CBI to be assigned for investigation into riots in the worst-hit areas such as Godhra, Naroda Patia, Gulbarg Society, and Best Bakery, Vadodara.
6. Set up an independent commission headed by a sitting Supreme Court Judge to enquire into both phase of violence – Godhra and post – Godhra.

Recommendations pertaining to women

1. The issue of sexual violence is grossly under-reported, especially in rural areas. Testimonies from all the affected areas need to be recorded on an urgent basis to understand the nature and extent of crimes committed against women. This task must be done immediately as many of the victims may soon start leaving the camps.
2. FIRs need to be lodged immediately. A special task force, comprised of people from outside Gujarat, to be set up immediately for taking cognizance of the context in which sexual violence has taken place and commence the task of filing FIRs. It should first examine the status of the existing FIRs. The task force should consist of people with legal expertise, women police personnel, women's rights activists, and women leaders from the Muslim community and be headed by a senior woman IAS officer. A time limit should be set within which justice will be dispensed for cases of sexual violence.
3. For cases of rape, medical examinations should not be treated as the basic evidence. Given the testimonies that many women

were fleeing for several days and did not have access to medical facilities, medical examinations should not be asked for at all.

4. Given the extraordinary circumstances under which crimes against women have been committed, and the evidence that the State machinery was not accessible to victims in terms of seeking justice, there is a need to make the normal, technical requirements of a legal process contingent upon these factors. In cases where women are unable to lodge FIRs, their testimonies alone should be treated as the basis for further legal action.
5. Counselling to be provided immediately, even before registering the cases so that the women are able to give essential information, which they have difficulty speaking about. People with expertise in trauma counselling need to be identified and assigned to this task.
6. Women's rights activists to be enabled to work freely among the survivors and police protection to be provided to them. Their harassers to be charged and brought to book.
7. It is imperative that the appalling sanitary conditions be improved and better health care be provided in the camps. Adequate facilities to address the health needs of pregnant women and the trauma of all the camp residents, particularly women, must be provided.
8. A comprehensive rehabilitation policy for rape victims and for their families (where the women are dead) needs to be announced urgently.
9. Given the government's negligence and the negligence of the National Commission for Women to make itself available (until the writing of this report), the UN Special Reporter on Violence Against Women should be called in for investigation and assessment.
10. Immediate assessment of the number of female-headed households and a rehabilitation package for livelihoods to be prepared by a panel of experts drawn from appropriate disciplines, with adequate support from the government. Special provisions to be made for orphans and children of widows.
11. In all the relief work, rehabilitation should be treated as a separate issue and not be confused with relief and immediate cash compensation.
12. Evaluate the Government's proposal to set up Peace Committees. In a situation where the Government lies discredited and implicated in the violence it is hardly likely that they would be in a position to undertake confidence-building measures.

Recommendations pertaining to police

1. A task force to be set up to investigate police excesses against women and to take immediate action against the officers concerned.
2. All police personnel named in the FIRs to be immediately arrested and tried.
3. Urgent probe into the police firing where deaths have resulted and the accused be brought to book.
4. An end to 'combing' operations, which are exclusive to Muslim areas and are being used to pick up Muslim youth; complete transparency in manner, methods, and charges against those arrested. Given the real fear of prejudicial action by the police, a judicial commission to examine all cases where Muslims have been picked up during combing operations after February 28, 2002. A system of accountability to be established for those who have 'disappeared' after being picked up by police.
5. Where there are testimonies of police refusing to register FIRs, immediate action to be taken against the concerned officers. Absence of the police to discharge its duties at a time of crisis to be treated as criminal culpability and attract punishment matching that charge, rather than merely attracting internal disciplinary action.

Recommendations pertaining to UN Conventions

Our preliminary analysis reveals grave violations of human rights norms, laws and treaties, some of which have been outlined in Section IV above. These violations should be tried and treated accordingly. Wherever necessary, the help of human rights groups, women's rights groups and relevant UN Special Rapporteurs should be sought to examine the extent of the violation, and propose action in accordance with procedure provided in the Instruments, and in proportion to the crimes.

Excerpts from the fact finding report sponsored by
Citizens' Initiative, Ahmedabad. 16 April 2002

NOTE

Reference is made in these excerpts to Annexures, which for reasons of space could not be included in this book. For a full copy of the report, download "women's report.doc' from the Gujarat carnage folder at http://groups.yahoo.com/group/gujaratdevelopment/files.

GODHRA & AFTER: REPORT OF VIOLENCE IN GUJARAT

February–April 2002

SHAMA DALWAI AND SANDHRA MHATRE

INTRODUCTION

On 27 February 2002 two compartments of the Sabarmati Express were burnt down, killing 58 Hindus, including 26 women and 12 children. This highly condemnable incident shocked the sensibility of the people of the country. This incident triggered off a massive operation of brutally killing and maiming members of the Muslim community over many parts of Gujarat. There has been a colossal destruction of people and property in the urban and rural areas of Ahmedabad, Rajkot, Bharuch, Baroda, Kheda, Anand, Mehsana, Sabarkantha, Gandhinagar and Surat districts where the Muslims have been staying for a long time. What is more important to understand is that this violence continues in many parts of Gujarat till date.

The situation in Gujarat captured our attention for the following reasons:

- The disturbance was of a very high magnitude and the number of people affected was very large. The cruelty inflicted on the victims was unheard of in this country.
- Not only urban areas but many parts of rural Gujarat were affected.
- Most importantly, the complicity of the State in continuing violence was extremely disturbing.

We undertook a visit to Gujarat. Our purpose was two-fold: to meet the victims and to share their sorrow, and as social activists, to understand the causes that lead to the terrible pogrom as well as to understand ways to combat the factors that lead to such a devastating situation. We visited Ahmedabad, Godhra and Dohad from 1 April to 8 April 2002. We first went to Ahmedabad and met the relatives of the victims of the burning of the Sabaramati Express and also interviewed the leaders and the organisers of the Vishwa Hindu Parishad. Then we visited a number of relief camps in

Ahmedabad. After that we went to Godhra and Dohad and met and interviewed the Muslim victims, the local residents, and the respected citizens of different communities, government officers, police, lawyers, doctors and representatives and workers of all political parties, and tribals.

INTERVIEWS

Survivors of Sabarmati Express Incident At Godhra

'Jeeviben was very smart. She used to tell us that we shouldn't just sit at home. We must go out so that we get to know the world around us. We would get knowledge by meeting educated people. We may also get work...' These are the words of women who had accompanied Jeeviben Dabhi and Premben Dabhi, two women who were burnt alive in the ghastly attack on the S-6 compartment of the Sabarmati Express on 27 February 2002 at Godhra.

These women, about ten in number, are residents of Mazoor Gaon, a locality in Ahmedabad. They had left for Ayodhya on 22 February and were scheduled to return on 27 February. They had stepped out of their home for the first time in their life, on the request of their neighbour and friend Jeeviben. Bharatiben, who was an upper caste activist of the VHP from another locality (her address and contact numbers were not known to them), accompanied them. The group consisted of women who belonged mostly to the Vankar caste, which is a scheduled caste in Gujarat. They left for Ayodhya with happy anticipation. The prime object was of course *Ram Darshan*, but this was also a pleasant outing for women whose children were sufficiently grown up to take care of themselves.

On their return trip these women had got into different compartments, wherever place was available. Jeeviben and Premben were in the ill-fated S-6 compartment, whereas the other women got into adjoining compartments. As the train started from Godhra, they were startled by the stones that were pelted from outside. Immediately, the passengers closed the windows of the same side. Soon after, they saw smoke all over; it was so thick that they could not see anything. Suddenly the train stopped. There was a big noise and total chaos. Somehow with the help of some young people these women managed to get out of their compartment on the other side of the train. After some time they came to know that compartment S-6 had been attacked by Muslims miscreants with stones and petrol bombs, so that the entire compartment was

engulfed in fire. The realisation dawned that they had lost their two friends forever.

It was a terrible tragedy for Mazoor Gaon which is a basti accommodating the textile workers of Ahmedabad. Most of the locals belong to the Vankar caste. About fifteen years ago many people from this area worked in various textile mills, as textiles was a big industry of the city. However, during the last ten years they had seen the steady closure of the mills and retrenchment without compensation. As a result, many people are at home. Jeeviben's husband also was a worker in a textile mill and was retrenched without any compensation. Right now there is a general atmosphere of recession with no new industries developing. As a result of this, a new worker is deprived of jobs in the organised sector and takes up any work that is available in the informal sector. We asked women about the pattern of their employment. Both the women and the youngsters said that they are engaged in doing ***phaltu kaam*** (low-level useless work). Interestingly, this was their perception of the work they were engaged in. Usually, men work either as casual labourers or get some odd job that can be carried out at home. Women also get the job work at home or they work as domestic servants in a nearby locality. It is often a case of daily earning and if there is no work on a particular day, then it is ***chullah bandh***; the kitchen fire cannot be lit.

The aspirations of this group of women and particularly their leader Jeeviben were obvious from the interview of women accompanying her. The women's movement after 1980 aroused and promoted the aspirations of women for their self-development as well as for the improvement of the circumstances in which they and their families lived.

The VHP, that masterminded the 'revenge project' in the name of the Godhra victims and carried it out with savage force and precise planning, had never shown any interest in improving the lot of these women and heir families. Their problems of untouchability, poverty and unemployment were not the VHP's concern. In fact, ten years back, during the anti-reservation agitation, people of this category, who were always the 'other', had become the 'enemy other' for the VHP. Later the VHP made an acquisition of the 'other' and even took them for Ram Darshan to Ayodhya. A worthy person like Jeeviben, who provided leadership to the women of Mazoor Gaon, died in the brutal attack by the Muslims at Godhra. But the loss of precious lives was neither the concern of Muslims

who carried out the inhuman act, nor of the VHP who resorted to genocide in the name of revenge.

Had any of them been really concerned, then they would realise the effect of communal violence on these poor residents of Mazoor Gaon.

Jeeviben's friends who went to Ayodhya as kar sevikas now sit at home with their families because there is no job available in the surcharged atmosphere. Women known what *chullah bandh* means. As they look at their hungry children, they probably wonder, 'Is this the homage that they pay to the Godhra victims?'

Survivors of the Naroda Patia Carnage

The team met the survivors and eyewitnesses of the carnage at Naroda Patia, which was a terrible case of human rights violation. (NHRC in its report has recommended entrusting five critical cases to the CBI. These include the Naroda-Patia incident).

The kind of cruelty and atrocities committed at this place were horrifying and unheard of before. About two hundred and fifty to three hundred persons are estimated to have been killed in the incident.

Moreover, the violence, though led by the VHP, Bajrang Dal and BJP leaders, was actually resorted to by the persons staying in the neighbouring housing societies named by the victims as 'Gangotri' and 'Gopinath'. Most of the residents of these societies are the middle class employees of various government organisations such as Gujarat State Transport, State Reserve Police, etc. The victims were specially terrorised by the participation of these people in violence against them because they had day-to-day contact with these societies; their children used to go to the same schools as those of the children from the said societies. Sometimes they had attended marriage functions in each other's houses. Muslims had a confidence that they would get protection from the people in these neighbouring societies in times of crisis. However, this confidence was totally shattered in no time when the mob attacked and the society's people not only participated in violence but were also responsible for carrying out brutal torture on women and children. The whole incident and the pattern of atrocities are given in the words of survivors of the carnage, as follows:

A. *Interviews at Shah-E-Alam Relief Camp*

* *Naeem Shaikh*: 'We have been living here in Naroda-Patia for the last thirty years. Such a thing has never happened, we did not ever

imagine that it would happen. There was a good harmonious relation between the two communities, a lot of social interaction. We attended their weddings and they attended ours. Now we have lost faith.

'On the 28th, suddenly we heard shouting, asking us to go out of our houses. We had no weapons to retaliate with. Some of those people were from this locality, behind them was a mob dressed in shorts and banians (T-shirts) with orange bands round their heads. They had swords, acid bottles and gas cylinders with them. Police Inspector K.K. Mysorwalla, as well as Bipin Autowalla were with the mob. They thought this was a good opportunity to exterminate us. We picked up courage and threw stones at them but they did not disperse. Instead they threw bombs in our direction; the houses in front caught fire.

'They caught young girls and young wives and humiliated them in the presence of old men from their families. Everybody started running to save themselves. Just opposite there are two housing societies called Gangotri and Gopinath; we approached them and told them what was happening. They told us that only our belongings were being destroyed or looted, and nothing would happen to us. In Gangotri there was a hosiery workshop, which was shut (closed); it was dilapidated. We took shelter in the workshop; they told us they would supply us with water and tea and they pulled the shutter down. They told us to keep silence.

'There were sixty to seventy families in Gangotri and forty to fifty in Gopinath with whom we had good relations. Everyday I used to go there to sell bread and biscuits (from my bakery). They told us not to worry because we were like brothers. They said that all the people in the mob were outsiders. They told us not to allow children to talk.

'The persons leading the mob were not from the two societies (Gangotri and Gopinath), they were from the shopping centres outside, they were the owners of hotels and big sweet shops, mobilewalla, Das hotel owner. Police and CRP were also present.

'At about 4.30 or 5.30 p.m. the shutter was opened and we were asked to leave. There was a Maharashtrian policeman who told us to get out, So I took my family and walked out and found that we were surrounded from all sides. Three sides were blocked and there was only one opening near Gopinath. We rushed there; then they threw petrol, kerosene and set the whole place on fire, they threw burning tyres from the top (terraces or upper floor). They struck

me with a sword. They blocked the passage to prevent people from going out. They stood there firmly till people died.

'There was a blazing fire and everybody was thrown in it. At least 250-300 people were killed.

'I lost my mother, sister, brother-in-law, sister-in-law, two nephews (6 and 8 years old). They held the boys by their feet and lowered them into the fire and then dumped them in it. They were so brutal that they even killed very old women. They pushed a hundred-year-old woman into the fire. They showed mercy to no one young or old.

'I have a daughter. She is with her mother. My wife began to run; they struck her with a sword. It almost severed her arm – only a little was left – her arm was dangling and had to be operated.

Now my daughter is with my wife at her mother's place. When we were running away I threw my daughter and my nephew out. Someone caught them and handed them to my wife. My wife thought I was dead. Thank god! We are united and all three of us are together.

'The attack on us was carried out by people from Gangotri and Gopinath, people known to us. They displayed pictures of the Godhra incident and told us they were now avenging those deaths. I could not believe that all those people who ate my bread and biscuits would be so brutal. They didn't spare the owner of the two provision stores where they ran a regular account.

'Earlier there were no facilities in our area; the big highway was not there. As soon as the highway was built prices started shooting up. One house would also fetch a good price. Our landlord, Ketandas Somandas, offered us two lakhs each to vacate our houses. He owns many chawls (16 to 17). Six months ago he asked us to vacate. His sons were with the mob.

'Mayaben Kondnani is the BJP MLA from our area. She was also in the attacking mob, there were other women too (8 to 10). The whole attack was planned by such big people. Mr Mysorwalla the PI from Naroda Patia police station was also present along with people living in the SRP quarters (Gangotri) next to Gopinath.

'There was a marriage party returning from a wedding in Solapur, with the newly married couple. They also had gold ornaments and money. An elderly woman asked for shelter for the children in the group and herself. The SRP people took the money and the gold and beat her to death.

'Let me tell you about the pregnant woman they killed. Kausar

Bano was our neighbour. She begged them to spare her, that she was pregnant. She told them to spare her though everyone in her family was dead and her husband had run away. They said – OK come, we won't do anything to you. (She was pregnant – full-term.) As soon as she walked towards them her belly was struck with a sword; the baby, who fell out, was thrown into the fire, they tore her clothes and pushed her into the fire; I saw all this with my own eyes. None of her relatives have survived, her brother, brother-in-law, her mother, her aunt (massi), no one is alive except her father and a twelve or thirteen year old boy. Her entire family is wiped out. They were the people who used to paint the flats in Gayatri and Gopinath during Diwali – yet they were not spared.

'Someone from Gopinath struck Kausar with a sword I don't know his name. But I can recognise them. I have been seeing them for years'. 'I can identify them,' (another man says) 'I can identify them.' Later, in the dark, they could not make out whether anyone was alive, so they left. After a while they came to check if people were alive. They grabbed the hair and pulled bodies out, put their hands in front of their nostrils to check if they were breathing. I regained consciousness while all this was happening and had the presence of mind not to breathe. They thought I was dead. Later the police arrived. At first I did not speak; then I told them that I was alive. They looked for others who were alive (there were a few). The rest were dumped in a truck and taken to civil hospital.

'We got nothing for the dead. Our people were killed right in our presence and we have no proof. They say we need certificates and FIRs.

'All the bodies were put in a truck, taken to Civil hospital and from there to Dare Ka Ghumat Relief camp. The police came there and announced that people should identify their kin. At that time I was at the Civil hospital so could not identify anyone.'

* *Shabana*: 'They attacked our Masjid from eight in the morning. When our Muslim brothers ran towards it, then the police shot eight to ten of them down. Mobs were coming from all directions so we ran towards the Gangotri Society. The SRP men said, orders have come from above that today we should kill you. You wish to save your life? Then pay us.

'We ran towards Gangotri. There behind the shutter all of us, men, women, and children, had taken shelter, but the Gangotri people said get out from here. They started pushing us towards

Naroda, and we saw a mob eight to ten thousand strong. We backed away from them and people from Gangotri and Gopinath society started beating us. We ran into a lane. Then, in front of us, they set fire to our mothers and sisters. They showed papers and said. "You Muslims have burnt the train. We will not spare you today. We will rape you". They raped and then set fire to those women. They cut off the chest of a woman and then set her on fire. Our Muslim brothers covered us and brought us here.

'They did not spare even breast-feeding babies. Tearing them away from their mothers, they threw them in the fire. Women were stripped, raped and then burnt. One woman begged. "Brother, let me go, I haven't done anything." They said, "You are one of those who burnt the train." She still said, "How can you be sure that they were Muslims? They could be Hindus wearing caps. This may be a ploy to torture Muslims. At any rate we poor people suffer."'

• *Najma Begum*: 'They burnt my two children to death. They burnt my back.' (She shows her back.) 'I saw a little girl whose ears, hands and feet were burnt.

'Women were stripped naked. In the urinary passage (vagina) sticks were shoved in, cricket bats (handles) were shoved in. It was terrible, My mother's name is Zarina, and my sister is Naseem (age 17). Both of them were burnt alive.'

• *Qureshi:* 'They created such a terrible atmosphere that I am scared to go back! It was the birthday of a boy of six and a girl of seven. Both were burnt in my presence. I fainted. They wore white dress and blue shirt.

'Women were raped, thrown into a well and burnt together. A two-month-old child was burnt alive. A five-year-old boy was burnt to death in front of his mother.

'People groaning with pain due to burns were asking for water. "Here is water", they said and urinated on them. Those who tried to help the people set on fire, were beaten up and also set on fire. Urinating, they said, "Take water, you set fire at Godhra, didn't you?" They burnt my father-in-law. He was seventy years old.'

• *Zaheda*: 'They burnt my sister-in-law's two children, one two-month-old son and two-year-old daughter. They lived behind the mosque at Naroda Patia.

'My eighteen-year-old daughter's marriage was to take place. They took away everything that we had bought for her, i.e., gold, silver, everything.'

* *Mariam Bibi:* 'They burnt my own child. They made them drink petrol and set them on fire. They said, "Go to the Border, there you will have your police". They pushed people into one dry well and then set them on fire. That well is behind the ST bus workshop, in front of the old Masjid.

'ST (State Transport service) people pelted stones. The SRP, the police shot at us and Gangotri people started beating us. We were attacked from all sides.'

* *Sharifa Bibi:* 'They burnt my own son. Women were stripped naked and paraded. We ran when we were attacked by SRP, Gangotri people. Then came the Sindhis, then Shiv Sena, Marathi and so on. We had no way to escape. People from the neighbourhood came prepared. They came from outer areas in khatara (vehicle in bad condition). We had nowhere to go!'

* *Hussena Banu:* 'They caught my brother, struck him with a sword on his arms and neck. Then tied him and poured acid on him. Before dying, my brother prayed to Allah. I was watching from the toilet. After they left I went to my brother and touched his face and realised that he had died. Then I poured water in his mouth, He was twenty-three years old. He was our only brother and we are four sisters. He was the only earning member in the family. My brother was married, he has a four-year-old daughter, I know the attackers. And they are from the neighbourhood.'

* *Rafikan Bano:* 'They burnt my husband and three children. Only my 18-year-old eldest daughter is still alive. They came at about eight o` clock and said, "We will only make a search". Then they poured petrol and diesel and set fire to our house. They said; go near the well which was dry. Then they beat and pushed some of us into the well and set fire. Gangotri and Gopinath people raped and burnt. SRP people were also with them.' In reply to a question about where the residents of Gangotri worked she said, 'they work in State Transport, SRP. Some are police people. Some SRP people are retired and staying in Gangotri and Gopinath.'

* *Mebool Hussainbhai Shaikh:* 'Many people were coming, say about twenty thousand, police were with them. We ran to get my brother's child and the police fired. The police were with the mob itself. They were thrusting knives at the stomach of women. They killed one foetus. In so many cases they raped women. I can't tell you! Police and SRP were with them and those ST workers who threw burning tyres.' (There is a big ST worship near this basti.) '20,000 litres of kerosene they had from the ration shop, they poured and burnt it. Kausar Bano, a pregnant woman, her brother, sister-in-law, tow nephews and mother were burnt alive. They cut Ayubbhai in front of me, and then burnt him, pouring kerosene or petrol. My child was crying, I told my wife, "gag his mouth, otherwise we will be burnt alive," Bhavani Singh said, "run this way". In reply to our asking who Bhavani Singh was: 'He is a driver working at National Transport Service.' We ran, and 150 to 200 people were burnt alive. At that time we couldn't make out who was friend and who was foe. We were so helpless!'

'Gangotri and Gopinath people spread such terror. It was a blot on the name of humanity. I phoned and asked for help but K.K. Mysorwalla (the PI) refused. "It is free Hindustan", he said. "But in this free Hindustan we are living like in jail!"

'It is all right that the committee is helping us now. That is why we are alive today. But no government help has come. The government has not come in this one month. If we are settled somewhere else then only can we be alive. Sonia Gandhi was supposed to come but could not come because of security problems. We called people like Amarsinh Chowdhary but they too could not come because of security. The Gujarat government refused to provide security.'

* *Shamshad Begum:* 'They burnt my mother-in-law. Her two daughters were raped and burnt. My two aunts were burnt; my sister-in-law's one-year-old child was burnt. My eight-year-old granddaughter's arms were broken. Her sister, thirteen years old, was raped and burnt. We have a small business of making tube lights, night lamps, etc. Recently my husband and his elder brother had got material from Bangalore. If was looted and burnt.'

* *Farida:* 'Several of us hid in the toilet. Those women who were raped and burnt were asking for water. But where to get water? So we got it from the toilet.

'Women from SRP families also said, "Burn them, burn them.... So that they also realise how those who were in that train felt." So I said, "Then where would be the difference between you and them?" With innocent little children in our lap we folded hands begging for mercy, but they rudely shoved us back. Then the mob told women, "You, Gangotri people, go away, we will kill the Muslims. So they locked up their apartments and went away".'

* *Saira Bano* (a volunteer at Shah-e-Alam camp): 'All the women who were brought here were without any clothes on their body. The whole bus smelt of kerosene.'

* *Raja's story:* 'My name is Raja. I am 12 years old. We went towards Gopinath society and hid inside. When the mob came they threw us out. People from Gopinath beat us; not people from the mob. We ran into a lane (gully). They burnt my mother and my sister. My mother begged, "Let us go; we have not done anything". They said that the people in the train (at Godhra) had not harmed anybody. Then they cut my mother's limbs, threw her down and burnt her. I stood and watched, then I started running and they pelted me with stones. I ran and climbed a compound wall on top of which there was glass. Then someone hit me with a chain.

'When I regained consciousness they grabbed me by the hair and started stabbing me. Just then a Marathi (Maharashtrian) said, "You have raped women, Now spare the children." They said, "This same child when he grows up will stab us in the back". The Maharashtrian said, "We will tackle that problem when it happens (in future)" He asked me to run away. I did not run for fear of getting caught. I walked slowly. The people from the mob said that they were paid to kill us. If we paid them they would save us.'

B. Interviews at V.S. Hospital

We took a long time in the V.S. Hospital to finally reach the children who suffered from burns in the riot. When at last we reached the ward, we saw a ten-year-old boy suffering from burns on his face. He had big scars on his face due to burning. Though his wounds had healed, the face looked distorted. We asked his father Abdul Majid Shaikh about the incident. He said, 'The attack by the mob on our locality was led by the BJP MLA Dr Mayaben Kondnani. She gave a signal directing them to attack our locality. If she is brought before me today I will tell her, "We elected you to

the assembly, and you brought this disaster on us." My wife and six children were thrown in the fire and burnt by the people in the neighbouring (Gangotri and Gopinath) societies. Now my remaining two sons are with me here in the hospital.'

28 February 2002 was a black day in the life of Mohamed Ayub and his family. On this day his wife had completed twenty days since her delivery. When the whole basti (Naroda Patia) was burning, this woman took her kid and ran out of the house in search of a safe place. In that chaotic situation the baby boy fell down from her arms. His hands and feet were burnt in the fire and had wounds on them. With the treatment he got in the hospital his wounds had healed and only the signs were left. An upper part of the mother's body above the waist was severely burnt and it was covered with a cloth. Her baby was fast asleep on the bed near its mother.

His father took the baby boy in his arms and coming to the open space near the ward he said, 'On that day all of us got scattered and then came together in the camp. One of my three sons was killed.' The other people around him were so deeply submerged in their sorrows that he kept his personal sorrow for the death of his son aside and tried to console the other people around him. He took us to a woman lying on another bed and said, ` Her tragedy is terrible, you listen to her!'

Parveen Bibi was lying on the bed and was in a lost state of mind. Her sister-in-law standing beside her said to us, 'Something terrible has happened to her! Actually, even from my family three persons were killed, my husband and two children, but two of my sons are alive. However, in her case all her family members (her husband and three children) were killed. She is left alone.' When the woman who was lying quietly on the bed heard these words of her sister-in-law she started talking incoherently. She said, `All my family members were killed. Why did they do such a thing? They killed four persons of my family. Instead if they had killed two persons from every family, everybody's grief could have been shared!'

Sushilaben, a nurse in the ward, listened to this and could not control herself. She ran out of the ward and started weeping. All the patients and their relatives repeatedly told us that they got very good treatment and efficient medical service in the hospital. Therefore, they could be cured much faster than their expectations.

Ram-Rahim Nagar

Ram-Rahim Nagar is another locality in Ahmedabad, which was attacked after the Godhra tragedy. People from both the communities e.g. Hindu and Muslims, have lived here together for many years. However, according to residents, this time the unity was broken. In the chawls where Dalits lived, saffron flags were raised. The chawls of Muslims were attacked and they were driven out. At present they are all staying in the relief camp organised by the deputy mayor of Ahmedabad Municipal Corporation. A few Dalit neighbours of these Muslims are staying in the same camp along with them. We met these people in the camp and interviewed one person who was a social activist in the basti.

Usmanbhai: The people living here are workers of textile mills. The textile mills have closed down for the past 4 to 5 years and the residents of this area are unemployed. The women in the families now gather paper, plastics and other recyclable materials and sell them for meagre earnings. If something is not done quickly, then the people here would be ready to undertake anything for their livelihood.

On 28 February, Haren Pandya, minister in the Gujarat Government, was present when the shops were being looted. The minister encouraged and abetted the looting of Muslim shops. When we complained to the DCP about the incident, the DCP told us that he was helpless and could not do anything in the matter. He further said that he had orders to fire only on the Muslims.

'The attack on Ram-Rahim Nagar was pre-planned. Our chawl is exclusively inhabited by Muslims and was therefore attacked. They reached an understanding with the neighbouring chawl that they would not be attacked. They were asked to vacate and leave their chawl. Then we were attacked from that side. They used inflammable gas like SO_2. The people who caused death, burnt and attacked us were Ajay Sharma, Makhiya Chamanwala, Sonu Nigam, Kesrimal etc; they were not arrested. These leaders carried revolvers in their hands and were giving directions to attack. The police did not take any action against them, whereas during combing. 44 Muslims were arrested from our area. Shakeel Ahmed was also arrested and abused. Walibhai also was tortured and accused of leading the mob and firing. From where could we get so much strength to fire on the BSF? We do not have the qualification (SSC) to get recruited into the military.

'There are two communities in this area, Dalit and Muslim. Both these communities cannot exist here without each other. I do agree that this is a whirlwind, which will subside after some time. But who kicked this whirlwind and who encouraged it? Yesterday the policemen told us that you all are Muslims and will be killed. They killed two people. They arrested the maulvi offering namaaz and alleged that we had guns, revolvers and bombs. If we had, wouldn't we use them? We are insecure even in this camp. We ran with sticks of firewood in our hand for self-defence. There were two gentlemen amongst us. Shakeel Ahmed Khan and Wali Mohammed. They both were arrested under PASA by way of preventive detention. They were also charged for attempt to murder. Both of them helped everybody in the area. Here there is a mixed community. Shakeel Ahmed Khan was a local leader in Ram-Rahim Nagar. He was honest, and a good leader who has not even killed an insect. He was arrested under false charges and we could not do anything. Even the Congress Party could not do anything.

'Police entered the houses of Muslims and started breaking all the furniture and belongings of the Muslims, even though nothing untoward had occurred in the locality. Police fired on our boys and 80 boys were arrested. Attackers came from outside and surrounded us from all sides. We had nowhere to escape. While the mob entered from the gate, police just mutely watched.'

Usmanbhai told us, 'I have a very good friend called Arvindbhai who is a Dalit and follows a leftist ideology.' Arvindbhai told Usmanbhai that '*Ham harijanbhai ko to unhone patthar banake rakha hai. Uska mooh tumhare aur karke rakh diya hai Hindu vote lene ke liye.*' (The BJP has been using dalits as missiles to be thrown on Muslims to muster Hindu votes.) The BJP could not fulfil its election promises and lost elections in UP, MP, Punjab and Delhi. The BJP was worried. Therefore they targeted minorities.

'In the last meeting Hindus and Muslims were together. It was for preparation for the birth anniversary of Dr Babasaheb Ambedkar, which falls on 14 April. We all respect this man who is responsible for our rights in this country. The convenor of the meeting was also Shakeelbhai. What then was the purpose of arresting him?

Usmanbhai was together with Manoharbhai and told us that they both had to live together.

Kakariya Municipal School

This was a relief camp where Hindu victims were housed.

Dilkusha Ramjibai: 'On 28th when the bandh was announced, after namaaz, there was a sudden attack. All the basti people carrying acid bottles and petrol bombs came and attacked. One old woman died. We tried to resist but could not.'

Deepa told us that she is a domestic servant. 'After lunch, I was washing utensils when a stone was thrown from the direction of the Muslim basti. We also threw stones at the Muslim basti. Other Muslims joined them armed with knives and started beating one of us. Police arrived and beat one of our boys and shooed all of us away. Muslims residing in the adjacent building attacked with acid bottles and petrol bombs and our houses were set on fire.'

Shantaben told us, 'We stay in Shah Alam Toll Naka. We are Dalits. From the neighbouring building where Muslims reside, acid bottles were thrown. We ran leaving our houses open. One person was killed and two were injured. For over a month we have been staying here. We get everything, but how long will we stay here? We want to go back to our houses. We weave baskets. How can we stay here? We need support. Those whose houses are burnt, they want their houses. Muslims surround us on all sides. They throw burning missiles and acid bottles, tease women. Where will we go with our small children? Since the attack was during day we could run to safety. What will we do if the attack is at night? Hindu and Muslims had met to express our solidarity. But the next hour, a bomb was thrown. So how can we feel trust? We are afraid. They are armed, but we do not have any weapons.'

We also visited Hindu victims staying near Calico Mill quarters. About 200-300 victims were temporarily staying there. Some of them were earlier working in Calico Mills but the Mill is closed. All of them are Dalits from Vankar caste. Their houses were also broken and burnt. The victims got sufficient food, but were worried how and where to go. They were all casual labourers. They wanted to reset their houses and have permanent security.

The Violence in Panchmahals District

We reached Godhra on 2 April 2002. When we entered the Shiv hotel in Godhra, we opened the topic to the Hindu boys working there. They told us with enthusiasm, 'Nothing happened in Godhra. But you go to Pandarwada and see. It has been totally cleansed. Prime Minister Vajpayee is coming on the fourth of April.

After he goes back all the Muslims are to be cleansed.' The dialogue indicated the situation in Godhra town and particularly the partition of mindset of the two communities in Godhra.

The anti-Muslim pogrom in the Panchmahals district that followed the gruesome burning of 58 people in the Sabarmati Express on 27 February 2002, affected 4396 families from 436 villages and these are now staying in the camps for rehabilitation in Godhra, Dohad, Halol, Kalol, Santrampur, Fatepur, Zalod and Shehara. The number of dead and wounded is 241 and 338 respectively and a search is going on for those who have disappeared. We feel that the search is going to be futile. In this district, 2769 houses, 1459 shops, 103 masjids, madrassas and dargahs, and light and heavy vehicles have been destroyed. The total economic loss in the district is about Rs 1555 crores according to Iqbal Mohammed who managed the Godhra Relief Camp. There were violent incidents in 96 villages in Godhra district and 16 villages in Dohad district. 49 people died in these incidents and 231 have been seriously injured. When we were moving in these two talukas we saw that 947 houses, 464 shops, 61 masjids and other religious places, schools and dispensaries were burnt along with the furniture within. No other community except the Muslims suffered any loss in the rural area. We also visited the camps where victims were housed. The victims were housed in two different camps in Godhra City. One camp was at Bohara Musafirkhana and second was near Iqbal primary school. In the camp at Godhra in Bohara Musafirkhana were 40 families, and in the camp near the Iqbal primary school, about 1639 families. There were three relief camps in Dohad housing 875 families. We took interviews of 57 affected people from these camps and also had some group discussions with them.

All the victims of the carnage from Randhikpur, Baria, Pandarwada Mora, Vejapur, Golwa, Suliyat, Gondli, Sanjeli, Jalod, Kala Daugari, Borgaon, Similia, Panded, Malukh, Shaniada, Baria Kasba, Garbada, Fatepur of Panchmahals district and Chhota Udaipur, Kheda-Pavijailpur, Kundal, Motha-Amadara, Oliya Kalam. Pani, Mothi Khandi, Selvasa, Ghutial, Kadwal from Baroda district are staying together in these camps.

Interviews at Godhra Relief Camp

Fatima Nuraj Shaikh (Pandarwada) said, 'On 28 February 2002. When the Hindus from our village whom we knew started looting and burning our house, we, i.e., men, women and children together

went to meet the Sarpanch of the village. We acquainted him with what was happening. The Sarpanch took us with him to his farm and providcd for our stay there. He was with us for an hour. After some time Channa Master Bhil came there. Then the Sarpanch left the farm telling us that after that Channa Master would protect us. After some time a crowd of 60 to 65 people with sticks, swords and knives approached us and started beating us. They started beating my husband with a sword. Then I fell on his body to save him. They did not spare me.' After showing us the cuts made by the sword on her face, head and back, she continued, 'They cut my hair with the sword. They dragged me and other women to another place and Hindus whom we knew raped us.' The left hand of this woman is fractured and she was in the hospital for twelve days. 'My husband and his brother together with other men were attacked with swords in front of me and my mother-in-law, Aminaben Rasul.' When Aminaben realised that all of them were dead, she herself brought all the dead bodies together and again went to the Sarpanch to ask for an explanation about their disaster. She told us, 'The Sarpanch telephoned the police. When the police came I took them to the dead bodies and requested them to bury these in the mortuary. The police took all of us with the dead bodies in a police van to the Lunawada police station and registered the complaints. The copies of the complaint and death certificates were not given to us even though we asked for them. On the other hand they shouted at us and put us in a van and brought us to the Godhra Camp.' She said with rage, 'I worked had on the field of Jasubhai and wished for his prosperity. With great difficulty my son had completed the ITI course. They killed him also. I am living in this village for the last forty-five years, but I never imagined that such things would happen. The relief camp is like a prison. If I get an opportunity I shall go back to the village and ask Jasu Patel, "My two young sons are killed. Why am I spared? Kill me also".'

All Muslims from Pandarwada are in this camp but they are not there with their entire families. Many men and women have lost their family members and there is a question whether they are living or not. They told us that in the one-sided violence by Hindus, 23 people were killed but the dead bodies were not returned to their families even for the last rites and the police have destroyed all the evidence.

Fatima Faquir Mohammed (Randhikpur): 'On 28 February, trouble started in the village at about ten in the morning. There were sixty families of Muslims. The Brahmins, Baniya, Dalits and Thakurs in this village threw stones on the Muslim houses and burnt them. So about 30 to 35 people went to the neighbouring Chunadi village. After one hour they felt unsafe there also, so they went and stayed in the Masjid in Kuwajad village. On the same night a woman gave birth to a child in the Masjid. An old woman thought that if the women stayed in the Masjid the rioters would not attack them. They discussed among themselves and told young men to run away from the place by taking advantage of the darkness. With four men and children, the thirteen women stayed in the Masjid at Kuwajad. On 1 March at noon, when the attackers started burning the village Kuwajad, they went to Khudra with the infants and their mothers. There, the adivasis gave them shelter for two days. But there also burning started. Then the adivasis told them to use their (adivasi) clothes. When they were going in this adivasi clothing the Hindus in Chhapadwad recognised them and they came and attacked them. Hitting him with a pipe they killed Yusuf Musa Patel, a man about 45 years old. At the same time about 20 to 25 Hindus got down from a bus coming from Randhikpur. They dragged eight women by force into the fields and raped them. A three-year-old girl named Saleha and an infant born in the Masjid were cut down and thrown away. A one-and-half-year-old girl who survived is so shocked that she gets fever very often, screaming fiercely, cannot do anything normally, and tightly embraces her grandmother.'

Banusabil Qureshi (Randhikpur): She said that they were threatened that they would suffer if they did not vote for the BJP in the Gram panchayat elections. All of them voted for the BJP and got it elected. 'But they have made us widows and homeless.' According to her on the 28th all the people in the mohalla had gone out for work and many houses were vacant. When she saw that Modi, Raval, Vania and Kumar, Hindus from her village, were burning the neighbouring Muslim houses, she went shouting to the next mohalla and with 150 other people ran to the adivasi basti. 'We saw from the small windows of adivasi houses that after burning our houses as if it was Holi around them they were playing garba. She and the other women from her village told us, 'An adivasi sarpanch, Kadchha Singh, saved us. He sheltered all of us in his house for one night and then told Bijalbhai Patel, another adivasi leader of

Chunadi village, to give shelter to all Muslims. Bijalbhai collected all adivasis from Chunadi village by beating the drums and told them to give protection to the Muslims in their own houses. They were hiding in this village for three days. Early in the morning they escaped and stayed in the nearby forests and at night took shelter in the houses of the adivasis. On the fourth day Bijalphai with the help of the Dohad police brought them to the Godhra camp.

Bilkis Patel (Devgad Baria): She is 29 years old and six months pregnant. She had come to her maternal home at Randhikpur. Her father used to sell milk in this village and before her marriage she used to help him in his business. Three men from the village, Jaswant Naik, Govind Naik and Naresh Moria, whom she knew, raped her and seven other women. They were shouting the slogan 'Jay Shri Ram' while doing so. All these women were hiding themselves in a naked state in the hills near village Chhapadwad. The Rathwa adivasis gave them clothes to wear. After some time the police came there. One villager recognised six out of 19 bodies collected by the police. All other bodies were torn and unrecognisable. What happened to the other 13 bodies and the men who ran away is not known to these women up to now. After taking down the complaints of all these women, the police of Limkheda police station brought them to Godhra.

Mohamedibhai (Ghumli-Dohad): For the last 40 years, he had been staying in Ghumli village. He had a cement business, which was rented on a 99-year lease from an adivasi – Laxman Somjibhai Pasaya. On 28 February 2002, Pasaya informed Mohamedibhai about the looting and burning of Muslim shops and houses in nearby villages and advised him to leave the village for some time. Mohamedibhai agreed with the advice, and with the help of Laxman Somjibhai Pasaya he shifted some stock of cement to another place. On 2 March at 4 p.m., a mob of around 50 people along with a local VHP leader came from Chari village. The local VHP leader Bacchhubhai Khaber angrily asked the villagers, '*Wo kahan gaye? Musalmanoko bhaganeka hai, woh yaha rahe nahi sakte!*' The armed mob set fire to Mohamedibhai's shop. Mohamedibhai was hiding in an adivasi house. He saw from a small hole Bacchhubhai Khaber with a liquor bottle and a mobile phone. On his mobile he was constantly in contact with other VHP leaders, giving information about the attacks in a loud voice.

Sajauddin Yusuf has been staying in Mandav village (Dohad) for more than one decade with his family. He is the only Muslim in this village. He leased land for his shop and house from Adivasi Chachiben Amadara. On 2 March, a mob of 150 people came to the village. When he saw the mob, he ran to the house of an adivasi called Dama Shanker. From his house he saw with his own eye that the mob cut his light and phone connections, then set fire to his house and shop. After that, a Bajrang Dal activist gave threats to Dama Shanker, to refuse shelter to Sajauddin Yusuf. Despite the threats, Dama did not ask Sajauddin to leave his house. Sajauddin left on his own and went to Zoj village. In this village also Adivasi Nana Ukka gave him protection for one day till police came to the village along with a vehicle sent by the Bohra Jamat to rescue him. The police took them to Godhra. After one month Sajauddin Yusuf visited Mandav. All the adivasis give him moral support. They told him that he could come back. But 68-year-old Sajauddinbhai was not yet ready to return.

Nissar Bhai: He is a primary teacher and resident of Mora village. On 28 February around 10 a.m, some people belonging to the BJP and VHP had come to the village in a car numbered GJ 3538. He casually asked why the car had come there. He was told that the car was brought there for the wedding of the Thakur's daughter. Nissar saw luggage consisting of pamphlets, sticks, iron rods and trishuls in the car. When he was going to the school at 11 a.m. he saw trees cut and thrown down at the main road crossing in the village, and Hindu mobs burning Muslim shops.

Nissar got information from his Hindu friend that when Muslim men went to the Masjid for prayer on Friday, their houses would be attacked. He gave this information immediately to the Sarpanch on the telephone. Hearing this, the adivasi Sarpanch Anil Sangada consoled Nissar and told him to come to his house and said that he was informing the police about it. After some time 25 policemen with four vans came to the village to preserve the peace. They were accompanied by the Mamladar but he left after sometime in a police van. When the Muslim villagers went to the police for protection after looting and burning started in the village, the police told them that they have to look at both sides (of the issue). At 9 p.m. when the police got the information that Abdul Gani's shop on Jaldanda Road was being burnt, all the police force went in the direction of that whop. At that time the Muslims saw a mob of four to five

hundred people with petrol bombs, detonators and chemicals burning all shops in the square. Everything in the Masjid was burnt and thrown on the ground, and a saffron flag was hoisted over the Masjid. The mob was shouting slogans like '*Bharat Mata Ki Jay*. Kill them. Beat them. Go away to Pakistan.'

They saw Bharat Dangi, Bamnia, Vikram Kalu, Bhai Palas, Vijay Machhar, Mahesh, Punna Bhangre and other Bhils staying in Suliyat looting Muslim houses. Bharat Dangi, a Bhil from Suliyat village, was promised a suitable reward for his men who participated in the looting and burning incidents of houses indicated by the VHP leaders. After the looting and burning was over, Bharat Dangi demanded his reward. When they refused to pay, Bharat Dangi threatened that the VHP leaders would meet the same fate as that of the Muslims if he and his men were not paid their promised reward for their participation. The VHP reported the threats to Mora Police Station and Bharat Dangi was incarcerated. Bharat Dangi spit the name of the VHP leaders who were with him. However, none of them was arrested. The police refuse to give any information about the jail in which Bharat Dangi has been incarcerated. When there was beating of people and burning of houses, one Saeeda Abdul Razake asked the DSP Chauhan 'What is all this happening here?' To that the DSP Chauhan replied, 'This is nothing compared to what happened at Godhra.' When the Muslims tried to stop a crowd approaching the police pushed them aside and allowed the crowd to come on. At 2 a.m. the police told the Muslim families to come with them, but these families rejected the suggestion, because they were suspicious. The crowd continued to burn the houses and shop, which were half burnt, and to loot the shops till 2 March. On 3 March two buses of BSF came to the village, and hiring a bus and a truck the Muslim families were brought to safety in the Godhra camp. Now they do not have the courage to return to their village.

Siraj Husain: Eight Muslim families had been staying for the past seventeen years in Bhikapura village, of Pavijetpur Taluka, Dist. Baroda. On 2 March the local Bajrang Dal leader and activists forced the Muslims to leave the village. One of the adivasis Mohansing Rathwa went with these families to drop them at Chhota Udaipur. When Siraj Husain went after one month to Bhikapura, the adivasis returned those of his possessions whch could be saved from the fire. The adivasis are calling all Muslims to come back to the village.

Faqruddinbhai: He is a resident of Kundal village of Baroda district, at present statying at Godhra Bohari Musafirkhana. On 6 March Navalsingh Nadsinghbhai Rathwa, Sarpanch of Kundal village, requested the BJP leaders not to destroy Muslim shops. However, they didn't listen. The Sarpanch then went to Faqruddinbhai and informed him about the BJP leaders' intentions. Faqruddinbhai's shop adjoined adivasi houses. Faqruddinbhai's shop was torched on that day by a mob. The Sarpanch informed the police and caused a panchanama to be prepared, and also disclosed to the police the names of those involved in the attack. The Sarpanch gave shelter to all Muslim families for two days in his home. Faqruddinbhai and Mohammed Roshan Ali told us that all the families along with their women and children left the adivasis' house in the early mornings, spent the whole day in the forest without food, and returned late in the evening to the adivasis' houses. The adivasis treated them well. On the next day when the VHP activist came to the village and warned the adivasis not to help the Muslims and help in destroying Muslim shops, the Sarpanch did not oppose due to this pressure and owing to the pressure even pretended to remove roof tiles. Then the outside mob looted and set fire to the shops. After this event Navalsingh Nadsinghbhai Rathwa contacted the adivasi MLA Mohansingh Rathwa and asked him to shift the Muslims to a secure place. Mohansingh Rathwa agreed and sent his boat from Sukhi Dam (Doongarwad) to Kundel. Navalsingh Rathwa sent two adivasis with the Muslim families. When they reached Doongarwad, Mohansingh Rathwa took them in a jeep to a Bohra musafirkhana at Pavijetpur.

Haji Rafik Bhai (Baria Kasba): According to him, on 28 February at 8 o' clock in the morning a mob of 400 came to the kasba to loot and set fire to the Muslims' property. BJP activist Rajendra Ramanlal Shah, Gopal Soni, Pankaj Chowhan, Shahar Pramukh Ghanasham Soni and the owner of the Anuradha Electronic shop were leading the mob. He said 'In our kasba many Muslims are in the transport business; some of them are drivers and they were on duty. Since then 110 men have not returned home. We don't know whether they are alive or not! We have already given a list of lost persons to the collector and the police, but with no response from them yet.'

Firoz Mohmed Hanif (Baria Kasba): He is a driver. He told us, 'When looting and burning started at Piplod, I left my duty and came back home. While I was on the Piplod-Matwad road, I saw a mob of 30 persons. I hid near the hill to save myself; from there I saw that the mob was beating Habib Gulam Mohammed and Firozkhan Dawodkhan Pathan. When I enquired about them late at night after reaching the village I found that they had not returned. Both of them have not been traced till today.'

Musabhai (Baria Kasba): Idris Mohammed Mansuri and Musabhai of this village were coming on the Golwa-Ghoghumba Road on their two-wheeler. They were stopped by the Bajrang Dal mob and beaten. Musabhai, who was sitting in the back seat, ran away and hid himself in the trees nearby. When Idris Mohammed Mansuri was running away leaving his bicycle he was stabbed by the mob. When Musabhai returned after two days and told the villagers about this happening, the villagers, along with Idris's brother, started searching for Idris on the Golwa-Ghoghumba road with the help of his cousin and villagers. There they found his Bajaj two-wheeler (numbered GJ- 17-3384) in a burnt state. When all of them went to the police station the police gave a piece of the pocket and his watch to his relatives. The local people reported to us that the police told the villagers to cremate the dead body of Idris.

Chandubhai Mina (Garbada): He is the adivasi ex-sarpanch and Congress Taluka Pramukh of Dohad. Garbada is an adivasi majority village. On 2 March at about 2 a.m., a mob of fifty to sixty people threw stones on Muslim houses. The Muslims ran to the market area. Chandubhai gave them shelter. Later, on the same day, a mob of Bhils was sitting on the hills beyond the main road in the village. The VHP shouted the slogan 'Jai Shri Ram' to signal to the Bhils to begin looting the shops and houses. At night all these houses and shops were burnt, but the crowd did not enter the market. The VHP systematically spread rumours that the Muslims have killed the adivasis coming in a tractor. However the adivasis did not believe the rumours. That was because the adivasis had seen the looting and burning in the village in front of the police.

Vanraj Damor (Dohad) is a Computer Engineer and the District Convenor of the Adivasi Youth Congress of Gujarat. According to him, in Panchmahals district the activists and the organisers who

were trained in the Bajrang Dal shakhas (branches) have been working in these villages for the last ten years, and have created a communal atmosphere at the village level.

He further said, 'On the approach road to Dohad city there is a dargah and a masjid. Near it, there is a RSS shakha and also a temple. On 28 February the dargah and the masjid were demolished and the VHP and Bajrang Dal activists hoisted a saffron flag. Next day Tasgul Pathan, a prominent Muslim, was stabbed with a sharp weapon at this place. When I got this news, I and some Muslim friends went to the Dargah and came to Dohad. We handed over the dead body to Tasgul's parents. At the same time, there was tension in the Muslim locality. When they threatened that they would not spare the Hindus now, I called the collector and the DSP. A meeting was held of both communities and a resolution was passed to establish peace.'

Ahmed Kalota: Mr. Kalota stays in Godhra town and he is a District President of Janata Dal (S). In his detailed interview, he raised many questions about the Sabarmati Express incident. He said that it was unfortunate the present Government saw the incident of Godhra station on 27 February 2002 as one pre-planned by the minority community. Kalota further said that 'Men may lie, but circumstances will not.' If the incident was a pre-planned one, then why did the Muslim businessmen open their shops, factories and other establishments as usual? The CM Shri Modi visited Godhra within hours of occurrence of the incident. But more importantly, the CM visited the railway premises with pre-determined intention to declare that the incident was pre-planned. At the time of his visit, nearby religious places, houses and garages belonging to Muslims were being destroyed by the members of Hindu community. Though the CM knew this, he did not direct anybody to stop the destruction, as it was pre-planned by the RSS, VHP, Bajrang Dal and other communal parties to destroy Muslims' properties. The Muslim community continued to demand protection of Muslims in villages and for them to be shifted to a safe place, but the government did not pay any heed. Many dead bodies of Muslims lay at several places, though the authorities were informed. No arrangement were made to hand over the dead bodies to the relatives at home. On the contrary, the dead bodies were deliberately being mutilated beyond recognition in order to spare the government from paying any ex-gratia amount. We still pray that these dead

bodies be handed over to the relatives and the ex-gratia amount coupled with cash dole be directed to be given to the affected persons immediately.

Maulana Husain Umarji (Godhra), Chief Maulvi of Godhra and president of the Relief Committee, runs a relief camp near Iqbal High School, Godhra. In the curfew bound area the outlaws started destruction of Muslims' properties in and outside Godhra city, freely and fearlessly, with the blessing of the BJP government. On 7 April, Maulana Umerji along with leading Ghanchi Muslims made an appeal for peace, condemning the Sabarmati incident, asking for punishment to the guilty and praying for the souls of those who had died. No local paper carried the appeal. He has also been advising restraint at every Friday sermon, talking specifically against confronting the police. Umarji told us that the Government calculatedly implicated Muslim elected members of the Municipal Corporation falsely in the Sabarmati Express case in order to choke their voice and discredit their leadership. He further said that almost all prominent members of the Muslim community, including businessmen and social workers, were falsely apprehended and arrested during the night in order to humiliate them. While POTO was invoked against those falsely implicated in the Sabarmati Express case, the government refused to use POTO against those who brutally slaughtered more than 1000 Muslims.

FINDINGS

1. Objective of Genocide

In the Gujarat carnage there was a clear objective of genocide of Muslims. Genocide means the economic, physical and the cultural destruction of a particular social group. The objective of the Sangh Parivar was not just rioting and consequently killing the people, but it was a planned killing through pre-targeted savage attacks on Muslim men, mass rape of Muslim women, and torture and burning of women and children. It was on such a large scale that they were completely demoralised and terrorised into not returning home again to lead a normal life. Of course, the objective of genocide could not be carried out successfully to its logical end for a variety of reasons,. such as the very strength of the Muslim population in

Gujarat on the one hand and the mounting national and international pressure on the other hand. Nevertheless, the events in Gujarat since 28 February clearly indicate that a massive and meticulous plan of genocide had been made much before the Godhra incident. In their objective of genocide of the Muslim population of Gujarat the Sangh Parivar operates at three levels, which can be described as follows:

a) *Physical extinction*: This time what happened in Gujarat was not a normal riot, such as we have observed earlier elsewhere. In earlier riots, we have seen that people from two different religious (or otherwise) communities confront and attack each other. In consequence, property is destroyed; persons from both sides are killed, in greater or lesser numbers from both the communities. This time, however, it was the large-scale killings of one community by the other in a very systematic and pre-planned manner while the governmental machinery positively supported the culprits. From interviews with victims who lived at Naroda Patia and who are at present staying at the Shah-e-Alam camp, the following points emerge:

i) People who were attacked were totally defenceless and were taken by surprise.
ii) Very large mobs attacked them and the mob was armed with swords, petrol, kerosene and sticks.
iii) The victims got no help from their neighbours. In fact the neighbours joined the mob to kill and rape.
iv) There was an involvement of the SRP and the police in attacking Muslims.
v) The viciousness of the attack is shocking. Women and children were special targets.
vi) It was not just rape, but humiliation first and killing later. The women were stripped naked and sometimes paraded. Then they were raped. After that they were burnt to death. Torture in the form of pushing of sticks and handles of cricket bats into their vaginas was common.
vii) Pregnant women had their stomachs ripped open with a sword and the foetus was taken out and thrown in the fire.
viii) Children were beaten and burnt, with unimaginable cruelty and torture.
ix) There was no escape route for the victims. They were attacked from all sides.

The victims interviewed by us in the rural camps told us that from 27 February 2002, processions were arranged in villages all over by local VHP, Bajrang Dal and BJP groups of 60 to 70 people shouting '*Inko yahanse bhagao, Pakistan bhejo*,' who started looting them from noon. The mob came on cycles, motor cycles and jeeps and hurled petrol-filled plastic bags and ignited them with fire crackers, and burning tyres. They burnt the houses, shops, masjids, dispensaries, workshops and factories of Muslims. Eyewitnesses told us that the attackers had maps of the village with plot numbers and lists of Muslim families. This makes it clear that even in rural areas the attack was so pre-planned that the tiny minority of the Muslim population had no chance to escape.

In the villages where Hindus dominated and where the adivasis were in a minority, the members of the Hindutva organisations inflicted much serious damage on the Muslims which included looting and burning of Muslim shops, raping Muslim women and children and even burning alive and thus killing Muslims. In areas where the adivasis dominated, the VHP could not go beyond looting and burning the shops and houses of the Muslims with the help of Bhil adivasis.

As reported to us by the organisers of the relief camps at Godhra, more than 300 Muslim men, women and children were brutally murdered in villages of Panchmahals district. But the Chief Minister declared the deaths of only eight persons. On the roads of villages, Muslim drivers of vehicles were brutally killed, the dead bodies thrown in cabins of vehicles and burnt so that no sign remained of the brutal murders.

The narratives of the victims interviewed by us left no doubt in our minds that Muslims were targeted in such a pre-planned manner that they were not able to receive any help from any quarter. The services of Government institutions were also availed of for this action and the direct help of the police was very evident. From interviews with the victims of the carnage held in various localities common points emerged. We were told that police in all the localities, when approached by the victims, uniformly expressed their inability to protect them as 'they had no orders to do so'. Data and information gathered in the course of its normal day-to-day functioning by the various departments of the Government seemed to be made available to the BJP, VHP and Bajrang Dal to carry out the pogrom.

b) *Economic destruction:* The destruction of the Muslims seems very calculated and pre-planned because of the accuracy of attacks on pre-determined targets. The Godhra incident was just an excuse. If not the Godhra incident, other incidents could have provided an excuse to attain the objective, as killers have done earlier to prove that the minorities started the riot. For example, the Radhabai Chawl event in Mumbai in January 1993, in which a Hindu family was burnt alive allegedly by Muslims. This incident was stated to be the starting point for the violence that erupted in Mumbai. Later, this was proved to be wrong and the Srikrishna Commission Report rejected this theory outright. The Sangh Parivar had systematically collected the information about Muslims and their property in Gujarat for the past few months. As a result they could attack single Muslim houses, shops and business premises in Hindu majority areas where it was virtually impossible to recognise that they belonged to Muslims. Even big bastis of Muslims surrounded by Hindus, particularly in the outskirts of Ahmedabad, were systematically attacked and burnt. In rural areas too, Muslims were attacked and looted, and their houses burnt in such a manner that they cannot return to the same place to start their occupations again, thus completely clearing the villages of Muslims. Mr Patel, Secretary of the Bajrang Dal of Ahmedabad boasted before us, 'Eight hundred villages from Panchmahals are cleared of Muslims'. In very remote areas of Panchmahals district the single Bohra shops and houses of Muslims were looted and burnt and they were thrown out of the village never to return again.

c) *Attack on Religious and Cultural Diversity*: Religious and cultural symbols were wiped out particularly by attacking the religious shrines like mosques, madrassas and dargahs etc. Not only were these places destroyed, but also no signs of their earlier existence were allowed to remain. We found that Bajrang Dal flags had been hoisted at these places. At some places new roads were constructed with the help of the Public Works Department, within a matter of hours, immediately after the destruction of the religious shrines/institutions. At some other places, after demolishing Muslim religious shrines, Hindu idols of Hanuman were installed and established accompanied by pujas (worship).

The hatred against the Muslim identity is evident in the criticism of the burkhas worn by women or the caps worn by Muslim men. In fact, these are just symbols of a cultural heritage, similar to bindi, tilak and mangalsutra worn by the Hindus. This intolerance is

a contribution of a Brahmanical mindset, which is directly in contradiction with the pluralistic approach of the Hindu society.

The Indian Constitution, as well as the law of the land, has recognised the plurality of culture. But hatred and intolerance is systematically created in community consciousness against the cultural symbols of the Muslim community so that it will be impossible for them to live together with Hindus. Or the community is forced to ghettoise. A similar attitude is seen in the activities of organisations like Tabligh-e-Jamat which has launched the campaign against the composite culture and living together of Hindus and Muslims, emphasising the new separate identity of Muslims, thereby indirectly serving the purpose of the Sangh Parivar.

2. Communalization of Society

a) *Pre-Godhra planning and preparation by the Sangh Parivar*: The VHP had been sending volunteers to Ayodhya since 22 February. Three batches had gone on the 22nd, 24th and 26th. On their way to Ayodhya, the train halts at Godhra at night. One of these trips, 101 VHP volunteers from Godhra had boarded the train, and been welcomed by their companions inside the train with loud shouts of 'Jai Shri Ram'. The police had increased bandobast that night.

With an eye on getting thousands of Hindus to Ayodhya on 15 March 2002, and also to expand their base, the VHP had thought of a simple campaign:getting as many Hindus as possible to recite the 'Ram Nam mantra' for two and a half months continuously. The Hindus were given a jap mala, and told to recite *Shri Ram Jai Ram Jai Jai Ram*. These Hindus then qualified to accompany the VHP to Ayodhya to make their ritual offering in the maha-yagna, which was scheduled to begin there in February. For the last ten years the Bajrang Dal has been training their cadres in various areas of Gujarat. After completing the training BD gave a certificate or card with patta, trishul and danda to trained sevaks. For this training BD collected a fund of Rs. 51/- from each trained cadre.

b) *Post-Godhra actions to create communal hysteria*: Ironically, the shocking incident at Godhra proved to be a great boon from the Sangh Parivar. They exploited this tragedy to the fullest extent to create a violent anti-Muslim atmosphere all over Gujarat. Different organisations were activated to promote communal frenzy.

(i) Right after the Godhra incident a call for a bandh was given for the next day i.e. 28 February 2002 to protest against the burn-

ing of the kar sevaks in the Sabarmati Express.

(ii) The arrival of the 17 charred bodies of the victims of the Sabarmati Express at Ahmedabad on 28th morning was given huge pre-publicity through all the media sources. The VHP and Bajrang Dal gave a call to organise condolence meetings all over Ahmedabad. The meetings were meant for paying homage to the victims through the programme of besnas and bhajans. Moreover, all over Gujarat they had given a call for ghantanad (ringing the bells) and organised protest marches.

(iii) The funeral procession turned into a public programme. The deceased persons lived in different areas of the city, such as Mahadeo Nagar, Janta Nagar, Kakria Pada etc. The procession was to start from each victim's house and converge on a common meeting place. The VHP president Mr Giriraj Kishore was to lead this procession further to the cemetery. The mob increased in large proportions while moving towards the cemetery. After completing the last rites, the atmosphere was so charged with hatred that while returning the mob attacked the Muslim bastis that it came to on its way. After that, violence started all over Gujarat. The pattern followed was the same. First, the people gathered on the street wearing a headband that carried the name of VHP or Bajrang Dal. They carried swords, danda and trishul. The attack began with the pelting of stones, throwing of petrol bombs, then looting and burning of houses and shops belonging to Muslims. It was carried out in the presence of the police force. Finally, the brutal killings of the Muslims, and rape and torture of women and children were carried out.

(iv) The mobs attacked Muslim shops and houses so accurately that it was clear that they had prior information about the Muslims and their properties.

(v) The mobs were composed of three types of people. A group with weapons in hand, wearing VHP headbands, another group of people collected from the neighbouring areas, and a third small group of leaders who directed the mob. Often the mobs consisted of thousands of people, sometimes even more.

3. MUSLIMS ATTACKING NEIGHBOURS

Most of the Hindus who were in relief camps belonged to the lower castes among the Hindus, particularly Dalits. Though they were not the victims of physical violence, they were driven out of their houses by looting and burning of houses by the attacks of

Muslim neighbours mostly from the same bastis. They have no confidence or willingness to go back to their homes without a guarantee of protection. This is a reflection of the communalisation of Muslims in the areas where Muslims are in a majority.

4. Adivasis and Violence

Even if the adivasis participated in the pogrom led by the Hindutva organisations, they did so neither becauses of ideological convictions, nor out of any hatred towards the Muslims. Here it would be useful to recall that from the colonial period, Bhils have been deprived of their traditional dependence on forest and forest produce. So deprived, a section of Bhils has for generations been forced to live by indulging in criminal activities and looting. In Panchmahals district there are many incidents of help rendered by the adivasis to the Muslims, as gathered by us from the victims we talked to in the camp. The VHP used a deprived section of Bhils to loot and burn the houses of the Muslims.

Except for the Bhil adivasis, no other tribe (Rathwas, Kolis, Bhois, or Naikadas) participated in the violence. On the contrary, these adivasis gave clothes to women who were raped. They gave protection day and night to many families in their own houses during the present carnage. They went and expressed their sympathies with the people living in relief camps and gave the victims moral courage to return to the villages.

5. Role of the Government

The complicity of the government that was observed in the post-Godhra carnage was unprecedented. There was an involvement of the entire government machinery from the top political leaders to the lower level police constables. Given the reported presence of senior ministers in police control rooms, even the lower level cadres of the police force seem to have acted with the knowledge that they were free to behave like other common men in the society with all their usual anti-Muslim prejudices. Their involvement in the carnage took the following three forms: first when they (especially the police) remained passive spectators, second, when they instigated mob violence and third, when they actively participated in the carnage.

The ruling political party, the BJP, itself called for a bandh on 28 February 2002, and openly justified violence, stating that there would be a reaction of Hindus against the Godhra incident all over Gujarat. Even the chief minister Mr Narendra Modi, instead of telling people to be patient and to maintain peace, instigated the Hindus with a statement that there would be a natural reaction of Hindus against the Sabarmati Express incident. (see *The Times of India*, article by J.F. Ribeiro, May 2002).

Contrary to expectations that the state government would take immediate preventive measures to prevent a backlash after the Godhra incident, the chief minister Mr Narendra Modi ordered the police not to act in such a manner that the feelings of the Hindus would be hurt. For example, at Naroda Patia when Muslims were surrounded by violent mobs on all sides, they requested the police for help. But the police replied, 'We do not have orders from above to protect the Muslims.' Therefore, all kinds of cognisable offences were committed, such as looting, killings and rape in front of the police who were silent spectators.

When the mob attacked the houses of Muslims by throwing petrol bottles at them, the houses were burnt and Muslims started running helter-skelter. The police fired on these helpless people.

The police neither accepted complaints nor registered names of culprits in FIRs, even when the victims specifically identified them.

In the Shah-e-Alam camp we were told by the volunteers as well as by the victims that the survivors were brought to the Dargah in a bus sent by some concerned people of the Muslim community, who later organised the camp. When the bus reached Shah-e-Alam Dargah, most of the women were naked and the whole bus stank of petrol. The condition of the survivors proved that they did not get any help from the police.

The government did not organise any relief camps even though more than one lakh people had lost their homes and belongings and become refugees. Even after so many days, i.e. 50 days, a mob attacked the relief camp at Dariya Khan Ghumat (which is half a kilometre's distance from the police commissioner's office) demanding the shifting of the said relief camp to some other area. This is a reflection of the complete lawlessness that was prevailing in Ahmedabad after so many days, and of the inaction and the failure of the government to control the situation.

MLAs and MPs of the BJP participated freely and fearlessly in the disturbances in the Panchmahals district. For example, one

Pravinbhai Prabhatsinh Chauhan is the son of a Minister of the BJP government, who when informed about the deeds of his son, replied that he could do whatever he liked. He owns 14 vehicles; each of these, occupied by 50 miscreants, was utilised to kill Muslims and destroy their property. Though Muslims filed complaints stating specific people as accused, none of them has been arrested by the police.

The Chief Minister Narendra Modi visited the site of the Sabarmati Express immediately, but he did not have time either to visit the affected villages in Panchmahals, or even to visit the innocent Muslim victims in the same district.

The transfer of government officers, and high level police officers from those towns where they prohibited the VHP and Bajrang Dal to execute their project of retaliation, clearly reveals the government's motive behind these transfers. During the present carnage the control of the Sangh Parivar over the government of machinery has been intensified so as to make the government officers act like puppets in their hands.

PERSPECTIVES

Prof. Imtiaz Ahmad has pointed out 'Such (communal)violence is usually sparked off by fairly superficial and trivial causes though underlying them are deeper considerations of political representation, control of and access to resources and power, etc. These trivial causes come to occupy a symbolic significance for the group and conflicts arise from any interference with the group's autonomy, security and identity.'

To understand the root cause of the present carnage in Gujarat we need to probe into the politics of Gujarat during the recent past.

POLITICS OF GUJARAT

In every society there is a struggle by the weaker sections to improve the conditions in which they live. Such an improvement requires them to get a share in resources, whereby they can enjoy the benefits of development and improve their economic, social and cultural conditions. In an underdeveloped society, political power becomes an important instrument in getting access to resources, because with political power one can give direction to the size and

pattern of development and also intervene in the allocation of resources and the distribution of the results achieved.

Caste is a primordial category in Indian society. The socialisation of an individual is mainly within the caste group. The individual's caste-based identity remains even when he/she enters into larger social orbits. To get a share in power even in the present democratic set-up, one takes the help of one's caste group. For the people belonging to the upper castes there are other instruments, such as resources they own, their education, their economic and cultural power and general respectability in society, that help them to climb the political ladder. But, for a person of a lower caste, his caste is the only instrument through which he gets the strength required to obtain a share in political power. In a system with adult franchise, numbers count for political representation. Therefore, individuals belonging to the lower castes have now found it possible and advantageous to enter politics through caste-based organisations so as to get a better bargain for themselves. Of course, this does not mean that if leaders of the lower castes gain power, this automatically guarantees the betterment of the poorer sections among them. It requires mass consciousness for definite wider goals to be achieved through power, as also organisations to implement the policies.

This process of castes entering into politics as caste groups has certain consequences as given below:

First, it gives strength in politics to individuals belonging to the weaker section in society. The other powerful caste groups are often interested in forming an alliance with this low-caste group in order to acquire political power. In this process a new caste alliance is formed though compromises between different caste groups. Automatically, this leads to an increase in mutual understanding among groups, resolves conflicts and increases the strength of all the groups in the competition for power, political representation as well as in sharing of resources which are accessible though power. This ongoing process in India's democratic polity has been advantageous to different social groups, who could attain a long-term alliance in different states of India. For example, the Maratha and Neo-Buddhist alliance in Maharashtra under the leadership of Sharad Pawar, or Yadavs and Muslims in Bihar under the leadership of Laloo Prasad Yadav.

The second effect of this caste alliance is notorious. The social group which remains out of the ruling alliance, constantly tries to form new caste alliances with other groups in society and to break

the alliance of ruling caste groups in society. Similarly, the ruling alliance of the caste is always under pressure to retain power and towards that end breaks the alliances that oppose their rule. This process creates tensions in society whereby caste conflict and communal conflict are a consequence.

The political parties in India represent these alliances of different social groups, They provide an organisational umbrella as well as a political ideology to bind different social groups together. Coming to Gujarat, we find that till 1975 the ruling elite consisted of upper castes and the educated middle class of urban areas and the Patels/Patidars of rural areas. However, during the 1970s, there was a rising consciousness among the backward caste people, which increased their aspirations to political power. On considering this phenomenon the Congress party in Gujarat presented a new combination of castes by the end of the 1970s. Its traditional support base in the upper castes being eroded by the Nav Nirman movement and Janata party, it brought the new Kshatriya castes (OBC caste) into alliance with Harijans, Adivasis and Muslims. The strategy was popularly known as the KHAM strategy. It was under the leadership of Madhavsinh Solanki, while the strategy was articulated by Jinabhai Darjee. The KHAM alliance acquired power in 1977 and continued till 1989. The striking effect of this alliance was the side-tracking of Patels and Baniyas from political power in Gujarat. There was no Patel minister of the cabinet rank in Solanki's ministry. Even other upper castes from urban areas were kept away from power. Before 1980, all these groups had been economically powerful and part of the ruling elite of Gujarat. Obviously they became extremely restless when deprived of political power. Throughout the 1980s these disgruntled groups of the upper castes were in search of tactics to get power again. The anti-reservation movement in urban areas was definitely an attempt of the upper castes and Patels, clandestinely supported by the Sangh Parivar, to dislodge the ruling alliance by creating unrest against the Congress government. On the other hand they terrorised a section of dalits (one of the components of the KHAM alliance). The urban middle class of the upper caste provided a natural base to the movement. However, the Kshatriyas and OBCs also started a pro-reservation movement, which developed an open caste conflict between the upper castes and the OBCs, with dalits and adivasis also getting mobilised in the pro-reservation agitation. The BJP as a national party found it inconvenient and therefore, to overcome its

failure, it tried to turn the caste conflict into a communal conflict since 1985.

The BJP became the vanguard force of all upper castes throughout the 1980s. To weaken the government and break the ruling alliance has been the long-term strategy of the BJP in Gujarat since then. To achiev this objective, it launched a variety of programmes such as Shobha Yatras, Rath Yatras, etc. One should remember here that even L.K. Advani, the president of the BJP in 1990 had started his infamous Rath Yatra from Somnath in Gujarat.

Gradually, the party started getting success in its strategy for which a number of factors were responsible. Those can be discussed as follows:

First, after 1985, the lower classes from the caste groups of the KHAM alliance were alienated from the Congress party and started joining the BJP. Professor Pravin Sheth has explained this phenomenon very clearly:

'The entropy of KHAM as the so-far enduring social base of the Congress can be traced to the elitist attitude of the leaders towards the respective mass of these four numerically [? superior] castes/communities. The KHAM strategists filled in the vacuum caused in the structure of the Congress party by the withdrawal of the Patels and urban middle class from it in the wake of the Nay Nirman movement of 1975. Protagonists of the KHAM sought to mobilise the KHAM backward groups in the name of social justice. What actually happened was the cornering of the fruits of power, patronage and development by the new KHAM elite to the neglect of the KHAM masses. The average voters of these backward groups, perceiving this elitist trend got alienated from the leaders who reaped visible advantages of the Congress rule in the name of the backward masses. The communal riots of mid 1980s and the Ram Shila Pujan helped them reorient their religious and political affiliation to the BJP.' (Pravin Sheth, 1998)

There is no doubt that the transfer of power from the upper caste leaders to lower caste leaders is a necessary condition for taking society towards social justice. However, experience shows that the leaders from the lower caste gradually become part of the established system and cannot really deliver the goods to the large majority of poorer members among them. The rule in Gujarat under the KHAM alliance also led to the same situation for the masses. Unfortunately, there is no other alternative political combination (or party) in Gujarat, which was sympathetic to the caste

oppression of the lower castes as well as conscious of the need to solve their economic problems of poverty and unemployment. Such a combination, if it existed, could possibly have taken these masses towards the path of socio-economic transformation. But in the absence of any such political combination, the only alternative available to the alienated masses of KHAM in Gujarat politics was the BJP.

The second factor responsible for developing a new aggressive political culture in Gujarat is the growing insecurity arising out of unemployment due to the closure of textile mills and a depressing scenario in the economy, as elsewhere in India, during the last decade of the last century. The new technology and globalisation has injected more competition and instability in the job market for the middle classes of Gujarat also. All these problems are commonly shared by the middle classes coming from the OBCs and Dalits with their counterpart middle class from the upper castes which is comparatively large in size. Making an alliance with this middle class of the upper castes is an urgent requirement for the middle classes from backward communities. This attracts a section of the middle class from the backward communities towards the Hindutva brand of nationalism. The middle classes from backward communities often like to pose as the saviours of Hindutva more aggressively than their counterparts among the upper castes. This partly explains their role in the communal conflicts in the last decade, and the present carnage too.

The BJP had especially concentrated in the rural areas mainly dominated by the adivasis. For example the activities of the VHP, Bajrang Dal and the BJP have been gaining ground in the Panchmahals District. Most reported that the activities of the Sangh Parviar in the rural areas gained good ground along with the Ramjanmabhoomi Temple movement in the nineties. The local political picture began to change slowly after the late 1980s. Generally the adivasis are nature worshippers. The Hindutva organisations constructed small and big temples in the places where the adivasis worshipped their idols. The Hindutva organisations through their resources performed bhajans, sermons, Geeta darshan etc. amongst the adivasis and tried to impose non-adivasi culture through these activities.

When the BJP came to power in the state, the Bajrang Dal got an unbridled opportunity to create an atmosphere of anti-Muslim sentiments in rural areas. In the gram panchayat elections they

threatened the Muslims that they would not be able to stay in the village if they did not vote for the BJP.

The other programme of the BD and the VHP was to stifle the minorities economically. They called for a boycott of the Muslims. They distributed pamphlets amongst the Adivasis and Dalits and also organised various different programmes for them. One of the pamphlets distributed by the Hindutva organisations called upon Hindus to pressurise Muslim landowners to sell their fertile and irrigated land at throwaway prices to the Hindus. The pamphlets also called upon the adivasis to forcibly evict Muslim tenants from the houses and shops rented by them.

It is imperative to note at this stage the role of a section of the Muslim community in communalising the society and politics of Gujarat. The population of Muslims is about 8.5 per cent in Gujarat, which is less than the national average. Gujarat has the unique distinction in the country of having three local Muslim trading communities – Bohras, Khojas and Memons. There are other indigenous Gujarati Muslim communities, including the fishing community along the coastline of Gujarat. A significant number of Muslims are settled in Kutch, Jamnagar, Junagadh and Ahmedabad. These communities are well integrated into the local culture. The Gujarati Muslim communities have taken little interest in politics or by and large have remained supporters of the Congress Party, except for a brief spell following the emergency and the demolition of the Babri Mosque on 6 December 1992. The Muslim community taken as a whole is, however, grossly under-represented in the Gujarat legislature. Muslim leaders who have credibility and a large following have been generally marginalised; e.g., let us take the case of Mr Ahmed Patel. He has been a very important and senior leader of the Congress. But he has never received any importance in the state, and generally been shifted to party organisational work at the Centre.

Besides the Gujarati Muslim community, there are also migrant Muslim communities from other states. Muslims are either artisans or self-employed as petty hawkers and in other sectors. A section of the Muslims in Ahmedabad was employed in the textile mills, which are now closed. Owing to increasing unemployment and the lack of other means of livelihood, a small section of the Muslims is attracted to bootlegging and other illegal economic activities. An illustration of this point is Latif Khan. Till he was shot dead in an encounter by the police sometime ago, Latif Khan was the top man

in the lucrative trade of bootlegging in the only state still imposing prohibition. Latif Khan was dreaded by one and all. The media also created a larger than life image of Latif Khan as Dawood Ibrahim's man in Gujarat. Latif's men were feared but Latif also gave the community a criminal face and a criminal image. During the war with Pakistan, Muslim criminals were also projected as potential anti-nationals and probable Pakistani agents. Long after the war, even an ordinary Muslim is still perceived as a potential anti-national. Latif's activities as well as the media projection of Latif left little doubt in most Hindu minds that Muslims are not only criminals but also anti-nationals. The Sangh Parviar's anti-Muslim campaign thus was easily believed by unsuspecting minds.

These different factors discussed above have shown how the KHAM (Kshatriya, Harijan, Adivasi and Muslim) alliance attained by the Congress in 1980 was finally broken by 1990. Since then the politics of Gujarat has taken a new turn. The BJP attempted to form an influential new social base, described as PAKH (Patel, Adivasi, Kshatriya and Harijan) of their power, in place of the KHAM of the Congress, Under PAKH alliance the conflict between the upper and the lower castes was temporarily resolved and the ideology of Hindutva became the binding force for them.

The BJP could acquire exclusive power in Gujarat in 1995 through the PAKH alliance. However, there have been a number of alliances and re-alliances and changes thereby in the BJP mass base. Mr Shankar Singh Vaghela created a big challenge before this alliance when he defected from the BJP. In spite of all this, the BJP could manage to remain in power in Gujarat. Moreover, it always keeps its Hindutva card ready if there is any threat to its power. The shilanyas in Ayodhya was organised on 15 March 2002 by the VHP, keeping in view the UP election. Dr Pravin Togadia, a secretary of the VHP, gave inflammatory speeches all over the country, but more so in Gujarat. Therefore, the ground for an anti-Muslim pogrom was already prepared even before the Sabarmati Express incident. Recently, it was found that the incumbency factor had started operating in Gujarat, i.e. the masses had started feeling that the government was unable to fulfil its earlier promises given at the time of the assembly election through which they had got power. In this situation, the BJP government, it seems, found it convenient to take out its weapon of Hindutva to reunite the alliance, consolidate its base and strengthen the government. The carnage that followed after 27 February 2002 in Gujarat was a consequence of the BJP

government's consolidation strategy. Thus, it is preparing for the coming assembly election in Gujarat, at the cost of law and order. Moreover, human rights violations were never its concern at any time in its history. It is very confident, yet, that the people of Gujarat will pardon its failure of governance for the so-called noble objective of Hindu Rashtra.

Hate Campaign

Even before 1990, there had been a systematic campaign of the Sangh Parivar against the Muslims. It gained momentum in 1990 when the V.P. Singh government announced the implementation of the recommendations of the Mandal Commission Report, particularly regarding the reservation for the backward classes. Under the leadership of L.K. Advani the BJP started a Rath Yatra apparently with the objective of building a Ram temple at Ayodhya, but with the hidden agenda of destroying the Babri Masjid. The Rath Yatra and the Ram Mandir campaign demonised Muslims as symbolic enemies of Ram who is perceived as a symbol for the Hindu religion and the Hindu nation. Muslims were stereotyped as fanatic, violent, cruel and anti-national, and so a danger to the Hindu community and the nation. Certain distorted ideas about Muslims were inculcated in the mind of the average Hindu whose perception of the Muslim community became disturbingly negative. The distortion of the Muslim image was accompanied by a heightening of religious fervour, through such rituals as observing certain festivals, and making use of religious symbols such as the Gangajal and the Ram Shila reaching out to a large part of the Hindu population. The role played by the print and electronic media, as well as the revised school textbooks, in strengthening the negative image of the Muslims, was considerable. Some such myths propagated by them can be mentioned as follows:

1. After the partition the Muslims have got Pakistan as their Muslim nation and now ours is a Hindu nation. Though some Muslims did not go to Pakistan their loyalty has always been with that nation. For example as seen during the Indo-Pak cricket matches, the Muslims celebrate with crackers the victory of the Pakistani team.
2. Even in our own country they are not ready to give us land for Ram Mandir at Ayodhya where Ram was born. The Government of India does not respect our sentiments regarding Ram

Mandir but is ready to send Muslims on Haj, and thereby the government pampers the Muslims.

3. Due to the practice of polygamy Muslims have four wives and many more children than Hindus so population wise they will outnumber the Hindus in the near future.
4. In the madrassas they preach terrorism.
5. Because of the Muslims the country remains backward. For example, women wearing burkhas is a sign of backwardness as against the modernity of Hindu women.
6. Historically Muslims have been the aggressors who have been extremely cruel. In particular, They have been seen as rapists. To protect the honour of our women we should take 'revenge' today for the past wrongs.
7. Muslims are favoured whereas the Hindus are oppressed and exploited in their own country.

The continuous propagation of these ideas through all forms of media all over the country by the Sangh Parivar has particularly influenced the middle classes of all castes and especially those who can read. Zoya Hasan, a renowned political scientist, has written:

> Clearly secular consciousness in India is only skin-deep. This is largely the consequence of policies and strategies pursued by the Congress for three decades and the Janata in its regime. It continues to view communal violence as a law and order problem. It has not been able to recognise the fact that the part of the antagonism stems from outright ignorance and distortion of information. In spite of living together for centuries most Hindus and Muslims don't know about each other's values, traditions and customs. Each has a stereotyped and distorted image of the other. Such images must be counteracted because the communal problem, in our view, has as much to do with ingrained prejudice as with political rivalry and economic competition. (Zoya Hasan, 1991)

Her observations unfortunately still hold true.

Effect of The Hate Campaign

It is clear that the present carnage was not the result of a moment of passion. Such actions are the result of long-nourished, deep hatred that makes human beings act in this demonic way.

When it comes to communal frenzy, Muslims are equally prone to violence, which includes arson, loot and murder. But what is most disturbing about the events in Gujarat is the fact that communal

violence has taken the shape of well-organised inhuman torture perpetrated on women and children, for which Hindus have been responsible. The hate campaign along with other socio-economic-political conditions described above seemed to have led to this Hindu mindset.

For the Hindu Rashtra as conceived by the Sangh Parivar, Muslim men are the 'enemy symbol'. They are supposed to be traitors. Therefore given the chance they should be suppressed and even destroyed. This brainwashing is so intense that the uncontrolled hatred is directed even towards children. A Muslim male child is considered to be a potential demon. The idea is that they will add to the anti-national population in future, thereby creating further danger to the Hindu Rashtra. During an interview Raja, who is just 12 years old, narrates how a Marathi neighbour saved him from another man from that same colony who was asking him to kill Raja. The argument that the attacker forwarded was that, even though Raja was small and innocent today, he would grow up in future to cause trouble. So he should be burnt to death. Fortunately, the first man was quite assertive in protecting Raja. However, the dialogue shows a kind of insecurity, fear and hatred that has been built up in the minds of Hindus through false campaigns. Rape of their own women causes a deep shock and revulsion in the Hindu mind because of the extreme value he attaches to the physical chastity of a woman. The Sangh Parivar has always made use of this psychology prevalent in Hindu society to arouse communal feelings and to justify communal violence. This phenomenon reminds one of the attitudes towards women of his 'own', and women of the `other' community, by the ideologue of Hindutva V.D. Savarkar. In his book *Saha Soneri Pane*, he writes.

> Shivaji is praised for sending home the daughter-in-law of the Nawab of Kalyan with honour. But did he (Shivaji) or Chimaji Appa forget the rape of Hindu women by Muslim invaders? Those women raped by Muslim invaders must have shouted in anguish 'Shivaji, Chimaji appa, don't forget the rape committed on us by the Muslim Lords. You should terrorise them in such a way that they should shiver with terror as to what will happen to "their" women when Hindus come to power. When they realise that "their" women will also be subjected to such atrocities, then only will they stop committing these atrocities on Hindu women.' (Savarkar, 1991)

One must say that the BJP government of Gujarat and the Hindutva politicians are following their ideologue in this matter in letter and in spirit!

Rumours of Hindu women being raped and killed and their breasts cut off are very common in every communal riot. They are systematically spread through the language papers. For example, *Sandesh* a local Gujarati newspaper, published a news item on the day after the Godhra incident about the abduction of Hindu women from the Sabarmati Express. It was mentioned that they were raped, their breasts were cut off and they were killed. This news spread immediately all over Gujarat and created a frenzy among Hindu men and women. The intensity of hatred was so high that even a child if he was a male and Muslim was treated as a potential rapist. Children were killed very happily as though it was a destruction of evil.

After several days *Sandesh* clarified in a corner of the newspaper that the earlier news was false. The clarification of course passed unnoticed and the first news had already done the damage. Frenzied mobs carried copies of the newspaper while rioting and killing and shouting slogans like '*Khoon ka badla khoon*'.

In this mad frenzy, the mobs mass-raped 13-year-old girls as well as 70-year-old women. Muslim women are hated because in their burkhas they are supposed to be the symbols of backwardness. Muslim women are also considered morally degraded as they live with cruel, anti-national rapists and they increase the Muslim population. The fear that Muslims will outnumber Hindus is so great that even small girls are hated as breeding grounds of Muslim evil. Interviews reveal that rapists were saying two things. One, they showed the newspapers carrying the Godhra incident to their victims and told them, 'We are taking revenge for whatever happened in Godhra', Secondly, they said, 'Do you want children? We will give them to you.' The girls were humiliated and then killed.

The kar sevaks are treated as hallowed people as they are special devotees of Ram. As such they become symbols of the Hindu religion and Hindu Rashtra. It is inculcated by the Sangh Parivar in the minds of people through their propaganda that heinous crimes committed in the name of Ram, the Hindu religion and Hindu Rashtra are morally justified.

THE NEW GENERATION OF INDIA

One of our Muslim friends had gone to Ahmedabad on 19 April 2002 to review the situation. His Hindu friend in Mumbai had requested his cousin in Ahmedabad to accompany him there. A man called Manish came to take him to the city in his own car. After spending the whole day with him, Manish apologetically told him in the evening,' Sir, I actually want to invite you to my house for a cup of tea. But I am helpless, as I can't guarantee your safety in my colony. Even if a five-year-old Muslim child comes to my society by mistake, it may not go back alive.' This was the state of affairs in Ahmedabad on 19 April 2002 i.e. 50 days after the Godhra incident. Such was the grave divide between the two communities in Gujarat!

We met a number of small children at Shah-e-Alam and Darya Khan Ghumat and the V.S. Hospital. Most of them are survivors and witnesses of the horrible killings of their dear ones, of the looting and burning of their own houses and belongings, books, clothes and toys. Some have even seen their mothers and sisters being raped. They survived because they hid in places unnoticed by the mob. Children normally play in and around their bastis and know places where they can hide. In the interviews some children told us how they hid in places from which they could see what was happening. But the people in the mob had too much other vulnerable prey to search for hiding children. Many of the surviving children narrated their stories without any touch of innocence. They seemed to have internalised the violence.

In the V.S. Hospital, we met a boy who had burn injuries on his face. He had seen with his own eyes his brother and younger children dying by being thrown in the fire. What will he think about this incident after ten years? Will he continue to weep or will he try to take revenge for that which is sculpted on his mind? Is this not the beginning of the circle of destruction of this society?

The situation is volatile. Children have to get a healing touch and hopes of a better future. Only then can they be made to forget their horrible experience. In the absence of this they can become potential terrorists. This can be a great danger to the nation as well as to the Hindu majority of this country, in whose interest the Sangh Parivar has carried out the project of revenge.

At this stage we would like to express our concern for another category of children who have taken part in violence with their

elders, fathers and neighbours and with VHP activists. There are other male children who have witnessed the violence against the 'enemy other' but have not directly taken part in it. From interviews with survivors it is clear that people in the neighbouring colonies were the main culprits in the violence against them.

According to psychiatrists, those who take part in violence against innocents lose peace and tranquillity in their future life. They are permanently haunted by feelings of guilt in their later life. Urvashi Butalia has given such examples in her book *The Other Side of Silence* about people who experienced the partition of India.

The transformation of the 'other' from a human being to the enemy, a thing to be destroyed before it destroyed you, became the all important imperative. Feelings, other than hate, indifference, loathing, had no place here. Later, they would come back to haunt those who had participated in the violence, or remained indifferent to its happening. A seventy-year-old professor recounted how, as a young volunteer with the RSS in Patiala, he remembered hearing the screams of a Muslim woman being raped and then killed in the nearby wholesale market. He had listened, and felt nothing because, he said, 'at the time, as members of the RSS, we were not allowed to feel for "them".' Fifty years later, he wept tears of mourning for the woman, and for his own indifference. (Urvashi Butalia, 1998)

After that experience the person was not free of a deep sense of guilt.

Some children in this group may get criminalised forever. Once the violence is internalised, and a person is habituated to violence, it becomes a legitimate weapon to resolve a problem. It can be used against those who do not accept that person's viewpoint or act against his interest.

Thus by supporting the revenge project of the Sangh Parivar proponents of violence are taking a great risk for their own families and the entire Hindu society. They are pushing their young male children on the road to crime, with dire consequences which are unimaginable today. The child can become a young man without happiness or peace and with feelings of guilt and a lack of confidence resulting in failure in life. Alternatively, a young man, though not branded a criminal, can still become violent. This type is prone to domestic violence creating danger to women within the family. Whereas communal violence is sporadic, domestic violence is a

sustained phenomenon, which disturbs family peace. Thus, the violence started against the 'enemy other' i.e. Muslims, may take its own course and turn against our own family members, especially women–wife, daughter, daughter-in-law, sister and even mother.

Another consequence of children either taking part in, or witnessing violence is the destruction of the democratic fabric of our society. It inculcates the view that differences of opinion, grievances, anger cannot be resolved through dialogue but by attacking and killing the others i.e. whoever is the enemy at that moment of time.

The Hindutva project and the actions of the Sangh Parivar are thus taking society away from Hindu morality as well as from the democratic spirit developed through the long history of the Gandhian national movement and the Indian Constitution of Dr Ambedkar. It is better that we show our children the right direction through values that build up a more humane society.

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VII. SURVEYS

CAMP COMATOSE

PRIYANKA KAKODKAR

More than a month after the worst ever anti-minority inferno erupted in Gujarat, at least 1.09 lakh Muslims are huddled in makeshift shelters set up by their community. Too terrified to venture out, they are now – even by the PM's admission – refugees in their own country. The official figures now – and most NGOs, social workers put the unofficial one at upwards of 2.5 lakh – is higher than the total number of refugees in Sudan displaced by civil war and aerial bombings in 2000. The UNHCR had pegged that figure at one lakh.

With the violence in Gujarat showing no signs of ending, the flood of families to relief camps continues. Indeed, as a barometer of normalcy in the state, the influx of families to the shelters mocks chief minister Narendra Modi's claim that the carnage is under control. Over the last fortnight, when the worst was believed to be over (major incidents of violence continued to rock the suburbs), the number of people living in relief camps in Ahmedabad almost doubled to reach 70,000. These are official figures. Unofficial estimates have it that at least one lakh people have been displaced in Ahmedabad and more than 2.5 lakh throughout the state.

The few who have tried to go back to their homes in recent days have been forced to return to the relief camps. Ahmedabad collector K. Srinivas admits that at least 5,000 Muslims who tried to leave the camps returned because 'conditions outside were not conducive'. In some areas like Odhav, even relief camps have been targeted by mobs. In the rural belt, the story is the same. 'Forget about leaving the camps, there are large numbers of new entrants

every day,' says Sanjay Vincent, a social worker keeping tabs on relief work in the districts of Anand and Kheda.

'How can I go back and live among the people who did this?' asks 20-year-old Shaheen, from Panchmahals district where Godhra is located. She survived a brutal gang rape on March 2. A resident of Randikhpur village, Shaheen fled the area when it was attacked by mobs the day after the Sabarmati Express massacre. A group of around 17 people had left the village together, in search of shelter elsewhere. But three days later, they were waylaid by mobs from their own village who had tracked them down in Chhaparwad. She is now staying at the Godhra relief camp.

But the most chilling accounts of the carnage come from young children in the camps. When asked about the traumatic events, toddlers as young as three lisp, '*goli mar diya*'. Six-year-old Ramzane Abdul Rauf, who escaped from Naroda Patia, recounts in a deadpan tone, 'There was a big mob shooting bullets. I was hiding under my bed. They started burning my house and I ran out. My father found me.' Some like 12-year-old Aslam Khan have seen people being killed in front of their eyes. 'I was at my father's cycle repair shop when people started throwing stones. My neighbour was killed by a police bullet. I run when I see the police. What if they shoot me?' he asks fearfully.

The Modi government's attitude towards riot victims is evident from the fact that of the 101 relief camps for Muslims in Gujarat, not one has been set up by the state. Says C.K. Koshy, state revenue secretary. 'All the camps are run by the Muslim community assisted by NGOs. We are providing all the supplementary services – water, sanitation, medical support, rations and an allowance of Rs 5 per head.' Even in earlier riots and after the Bhuj earthquake, he rationalises, relief work was led by communities and NGOs.

It is clear that government support is falling far short of requirements although relief was rushed in prior to the prime minister's visit. Says Munatbhai Memon, one of the organisers of the Shah-e-Alam camp: 'The government rations account for just 40 per cent of the food supply. We are running the camp on donations from the community.' And there are just a few toilets provided in each camp. Unable to maintain basic hygiene, the inmates are now being stalked by gastroenteritis, malaria and cholera.

And then there are the camps which have not been recognized. 'There are at least 100 such camps in the state which are not deemed eligible for government support,' alleges Father Cedric

Prakash, from Citizens Initiative, an umbrella organization of 30 NGOs. Camp organizers point out that the police are not visiting the camps to register FIRs from the inmates who are too scared to leave and report to the police. Even worse, there are allegations that the government is making a serious effort to dismantle the shelters. On April 1, the Gujarat High Court admitted a petition filed by the Gujarat Chand Committee, an NGO, demanding that the government not be allowed to do so.

As the carnage continues in Gujarat, the relief camps present a dismal picture. The inmates are as fearful of returning to life outside the camp as they were when the pogrom began. The condition of the riot-affected people outside the camps is not much better. The thousands who have not been able to return to work since the riots began are living in penury. With the riots flaring up again this week, their future remains bleak.

Outlook, 15 April 2002

60% SAY VHP, STATE CONNIVED IN RIOTS

PREMCHAND PALETY

The Jet Airways flight to Ahmedabad was nearly empty. But nothing spoke more eloquently of the state of Gujarat economy than the fact that at the Regency Hotel, I was the sole guest. Wherever I went, fear hung like a pall over the people. Random stabbings continue and both Hindus and Muslims feel unsafe and insecure. Rumours fly thick and fast, and no argument can convince the people that these may be just rumours. That 500 Hindu women were gang-raped at Godhra before the train was set on fire, that a pregnant Muslim woman was cut open by rioters and the unborn child hoisted on a trishul.

The polarization seems complete. Even middle-class and upper middle-class Hindus participated in the rioting. A majority of Hindus seem actually to see Narendra Modi as their saviour and guardian! Even taxi drivers and petty businessmen, who have had hardly

any income in the last one month, say that they don't care, the Hindu-Muslim problem should be settled once and for all this time. When I ask people whether the police were biased in handling the riots, I am met with answers like: 'Yes, they were. So what? They did the right thing!' What is amazing is that after the first phase of the riots, Dalits and Adivasis have taken a lead role in anti-Muslim attacks. The VHP's dream of Hindu unification seems to have been realized in the most perverted way in Gujarat.

Secular organizations are tragically inactive. Congress and other Opposition politicians have been conspicuous by their absence in the troubled areas. Chunni Bhai Vaid, a prominent Gandhian leader, says that the rumours and machinations of the VHP and RSS have totally communalised Gujarat. The secular forces have grossly failed to counter the situation.

But right next to Sabarmati Ashram, the Dalits with whom Vaid has been working for decades say they revere him but support Modi's actions. I drive around Ahmedabad all day, stopping at street corners to ask people questions from my list. 'Do you feel safe and secure in Gujarat?' I ask my first question to a man I have called over to the car window. 'What do you think?' he asks me. 'If you are feeling safe and secure, why don't you get down from the car?' He is right.

OUTLOOK – *CFORE* Opinion Poll in Gujarat

	Yes	No	Can't Say
• Do you feel safe and secure in Gujarat?	25	72	3
• Were the riots that followed the Godhra incident justified?	37	44	19
• Do you think the VHP and the state government connived to target Muslims?	65	20	15
• Do you think the Modi government did enough to quell the riots?	32	58	10
• Do you think police action was biased?	67	20	13
• Did the central government do enough to stop the rioting?	25	48	27
• Should the VHP be banned?	38	51	11
• Should the Modi government be asked to go?	38	48	14
• If polls are held today, which party will win?	BJP	Cong	
	52	39	9
• Do you think relief and rehabilitation has been adequate?	37	48	15

• Following the NHRC verdict, should the PM seek Modi's resignation?	37	40	23

Methodology: Centre for Forecasting and Advisory Research (*Cfore*) conducted the survey in the cities of Ahmedabad, Rajkot Baroda, Banaskantha and Panchmahal between 1 April and 3 April. Over 1800 persons were interviewed. The sample was representative of different communities and locations: Dalits and Scheduled Tribes, 25 per cent; Muslims, 10 per cent; Rajputs, 15 per cent; Other cast Hindus, 45 per cent; and others, 5 per cent.

Outlook, 15 April 2002

WHY GUJARAT DOESN'T CARE

NRI Gujaratis pump in a lot of money for Hindutva Causes

BISHAKHA DE SARKAR

It's late in the evening, and there's a growing crowd on Ashram Road, on the banks of the Sabarmati. A group of people on the streets of Ahmedabad can mean many things. But here, there's laughter in the air. A part of the crowd is waiting to get into the new McDonald's outlet in the City Gold Multiplex. Others are queueing up for the movie of their choice: There's *Aankhen* playing in one theatre, *Bhutbangla* in another. All seems well in Ahmedabad, for the Gujarati is back at doing what he likes the most: eating out and watching films. The roads are choc-a-block with cars, the shops are all open and everybody is out on the streets. Life, on the face of it, goes on as usual. 'Life's back to normal – that's both totally true and totally false,' says Cedric Prakash of the Centre for Human Rights, Justice and Peace. For, some parts of Ahmedabad are truly bustling with life. Somewhere else, there is the silence of a graveyard.

Prakash calls it 'The Tale of Two Cities'. Muslim areas with their burnt houses are like ghost towns. Their residents live in camps, scared to go back home to even see what remains of it. Muslim children have stopped going to school and men don't work anymore. 'It's a

divided city,' says Hanief Lakdawala, a physician and founder director of Sanchetana, a non-governmental organization working on health.

Seven weeks after mobs first came out on the streets to kill Muslims, what's unusual is not the silence of that end of the city. Starker still is the bustle of the other part. For many in Gujarat, it seems as if the killing of Muslims – and that of the kar sevaks in Godhra – never happened. 'Most among the middle class are completely indifferent,' asserts designer-photographer Parthiv Shah, who has just returned to Delhi after a trip to Gujarat. The rest are not exactly apathetic. If the March inferno of Gujarat, still smouldering in April, had the tacit support of a large section of the people, the quiet backing is fast turning into a loud endorsement of chief minister Narendra Modi and the Bharatiya Janata Party government in the state.

Take Binjan Marfatia, a city college student, who earnestly believes that Modi is the leader that Gujarat is on the lookout for. 'It is under his rule that the Hindus were able to retaliate after the Godhra carnage. A large number of Hindus not only approve of the violence, but actually appreciate it,' she says. 'And if there is an election tomorrow, they are definitely going to vote for him,' she says. She certainly will.

A couple of surveys seem to back Binjan's claim. A weekly magazine's poll this week said that 52 per cent of Gujaratis thought that the BJP would come back in power if an election were to be held now. An internal survey conducted by the Congress suggested that the time was not right for the Congress to stake a claim for power.

For the BJP, clearly, the riots have come as a shot in its arm. The party's base has been eroding over the years, and many had thought that the BJP would lose power once assembly elections were held. But that was when Narendra Modi was brought in six months ago, in an effort aimed at infusing new blood in the moribund party. The aggressive and defiant Modi, unused to the niceties of governance, was hailed by party supporters as the 'Chhota Sardar'.

The state's Chhoota Sardar (as opposed to the actual Sardar, Jawaharlal Nehru's home minister, Vallabhbhai Patel) is today being hailed as a hero. The BJP's conclave in Goa on Friday underlined that all is well in Gujarat and indicated that the party has chosen the right plank – communal polarization – for the polls. Modi's back has been warmly thumped, his resignation returned and the partners of the National Democratic Alliance, who had been raising

some weak noises, told to mind their own business. For most of Gujarat, the BJP is convinced, is happy at the way Godhra has been avenged.

It could be right, for there has been no loud outcry or condemnation of the violence which the government says has taken over 800 lives and activists believe has taken a toll of 2,000 to 5,000 lives. On the contrary, middle class Gujaratis last month rushed to loot shops run by Muslims. Now Muslim employees are losing their jobs because Hindu bosses don't think it's safe to employ a Muslim. Some of the city's best schools have asked Muslim children not to come back to school after the end of the current academic year. 'I have never seen the state this divided,' says a disturbed Lakdawala.

But what has made Gujarat so insensitive to violence? Now that the worst phase of the violence seems to be over, questions are being asked.: why the people of the state mutely witnessed the March massacre and now threaten to be vocal supporters of it.

Theories abound, but most believe that the main reason is the BJP's systematic hold over the state. Gujarat is the only major state where the BJP has been ruling on its own for a considerable stretch. A two-thirds majority in the legislative assembly has ensured that the party, over the years, has brought about a significant move towards the Hinduisation of the state. Among the first things it did was issue an order stating that a puja had to be organized in every hospital and public place on Dussehra. Attempts were made to change the name of Ahmedabad to Karnavati – an effort that was finally foiled by the Centre.

Gujarat was where government regulation two years ago made it possible for bureaucrats to attend shakhas run by the Rashtriya Swayamsevak Sangh (RSS). Insiders point out that the RSS men now rule in different parts of the state in varying capacities. 'RSS men are in the police and hold positions in the bureaucracy,' says Prakash.

Historically, too, Gujarat, traditionally feudal, has not marched forward with social movements. The caste system – rigid everywhere – has never been taken on in Gujarat, as it has been in other states. Neighbouring Maharashtra had a strong Dalit movement that questioned caste, but in Gujarat, caste continues to be deeply entrenched in the people's psyche. Meanwhile, members of lower caste communities with specialized skills have become economically affluent over the years and in the process of going up the ladder of success, have picked up the saffron flag along the way. 'For

many of them, taking on an aggressive pro-Hindutva line is one way of joining the Hindu mainstream,' says Shah.

In modern times, the political space in the state has been occupied by parties that have always used communalism as a tool. Though Jayaprakash Narayan's Nav Nirman movement was flagged off from Gujarat in 1974, the supporters of the movement either lost the political space they once occupied or simply joined the BJP. The Left movement was conspicuous by its absence, despite the increase in the number of workers with the growth of industry. And the Congress, which turned the 1985 anti-reservation violence into religious riots, was never really seen as a champion of communal harmony. 'The space that was created by the Nav-Nirman movement was captured by the Sangh Parivar in the new generation,' he says.

The new generation, certainly, had no problems aligning with the Sangh. Shah believes that the state's growing urban middle class – possibly the biggest and the most affluent in the country today – lapped up the Sangh ideology because it was in search of an identity. 'When the stomach's full, you try and look for other things,' he says. In this case, the urban community (45 per cent of the state's population is in 246 towns and cities) latched on to a religious identity.

The push, Shah argues, came from NRI Gujaratis who are some of the strongest proponents of the BJP. Every middle class Gujarati has a relative living abroad. 'There, Gujaratis are under the government's thumb,' he says. 'They can't fly a kite unless they go to a beach and can't burst a cracker unless there is good reason to do so,' he says. 'So the same Gujarati through his relatives back home, wants to sit with his feet up in his home state. And since he thinks the Muslim is an outsider, he want to order the Muslim around the way he is ordered around in the West.'

Not surprisingly, the state, many stress, has been used as a laboratory in recent times for organisations such as the Vishwa Hindu Parishad – a body that gets a lot of its funds from Gujarati NRIs. So the most number of contingents for the kar seva that preceded the demolition of the Babri Masjid in 1992 went from Gujarat, just as, ten years later, train-loads of Hindu activists from Gujarat thronged Ayodhya to press for the foundation of a Ram temple.

'Gujarat has always been a highly communalised state,' says a Gujarat professor. Nishar Ansari. 'But while a section of people has always supported communalism covertly, there's a difference this

time,' he says. 'Earlier, communal elements were not so openly active,' he says.

The people of the state stress that in recent years, there has been a systematic build up of anti-Muslim sentiments. One of the reasons for the targeting of Muslim business, perhaps, is the rise of the Muslim middle class, which is more affluent in Gujarat than anywhere else. Some months ago, a newspaper published, without any apparent provocation, a list of hotels and restaurants run or owned by the community, pointing out that many had names – such as Tulsi or Abhilasha – that were not specifically Islamic.

In recent years, the Muslim community had been doing exceptionally well in the hotel industry. Restaurants were being run as a cooperative, which enabled the owners to offer prices that were cheaper than those quoted elsewhere. Lakdawala points out that the eateries, many of them on the Maharashtra-Gujarat highway, were doing so well that the sight of busloads of people lining up for meals at the Muslim-run restaurants was a common one. In the last few weeks of violence, some 600 of those restaurants have been gutted.

'It's a cycle, says Lakdawala. Every time there is a riot, the backbone of the Muslim business community is broken. In some years, the community rise again and slowly rebuilds its business. 'When it is flourishing some years later, there are riots again. And the community is destroyed all over again,' he says.

But Lakdawala believes that the situation in the state today is far worse than ever before. He recalls that soon after the riots that followed the Ram Janmabhoomi agitation, civil society in Gujarat managed to stand up and raise a united voice of protest. 'Hundreds of people joined the rally, including (social scientist) Rajni Kothari who came in specially from Delhi for the march,' he says.

Last week, when a peace meeting was being held at the Sabarmati Ashram, a mob descended on Narmada activist Medha Patkar who had arrived there to join the meeting. Her hair was pulled, she was pushed around and could have been badly injured if a police officer hadn't whisked her away. And like all the other incidents of violence, people watched the attack on Patkar – and a subsequent assault on reporters – with silence. 'I think what baffles me the most about the violence of Gujarat is this silence,' says Prakash. 'It's deafening,' he says.

The silence came with some action this week. Sabarmati Ashram – once the home of Gujarat's most famous son and the country's

best known apostle of peace, the Mahatma Gandhi – said that after the Patkar incident, the ashram could no longer be used as a venue for peace talks. It was closing its gates, it said.

The Telegraph, 14 April 2002

WILL THE GOVERNMENT REBUILD RAZED, BURNT SHRINES?

ROBIN DAVID

While there is no official word on rebuilding religious sites damaged or razed in the recent riots in Gujarat, the National Commission for Minorities is giving the impression that the state government will reconstruct the mosques and dargahs. They have apparently received an assurance from the horse's mouth Chief Minister Narendra Modi himself. The Commission, including Justice Mohammad Shamim and four others, had met Modi during their recent visit to the state and brought up the issue of the damaged sites. Sources said it was in this meeting that Modi had agreed to the rebuilding plan. He had, however, refused to set a deadline and start repair work. Senior officials, on the other hand, refuse to comment on the issue claiming they have no knowledge of any such plan. If the state government does wish to rebuild, it can always approach the Gujarat Chand Committee which has a list of 69 damaged sites, including mosques, dargahs and madrassas. And it has a major task on hand if it wants to keep its word to the Commission. Ahmedabad has taken the first rank in this list with as many as 45 such sites. Vadodara comes in second with eight with Kheda and Sabarkantha making up for most of the rest. Of these, about 15 have been razed to the ground or badly damaged by fires. About 10 have been converted into temples, according to the Chand committee list. Damage to at least one mosque, the Muhafiz Khan Masjid in Ahmedabad, has raised the hackles of many. This 250-year-old mosque was under the protection of the Archaeological Survey of India (ASI) and considered to be one of the three most beautiful

mosques of Ahmedabad along with the Sidi Syed Mosque and the Rani Sipri Mosque. 'There is no way you can evaluate the damage to the mosque' says Afzal Khan of the Sunni Muslim Wakf Board, under whose jurisdiction the Muhafiz Khan Masjid fell. 'Miscreants have damaged the intricate carvings on the southern side. Although the mosque is still standing, there is no way that the damaged part can be replaced.' There were many other small shrines, which were not even registered with the government of the religious body. Re-building will be a mammoth task, many feel. 'A good example is that of poet Vali dargah which was razed by rioters', says Debashis Naik of the Ahmedabad Municipal Corporation's heritage cell. 'There are many more like these of which we have lost trace.'

Khan adds that when the Board's office in the compound of the Sachivalaya was burnt down in the first few days of the rioting, they lost all the documents of the 6,000 trusts and other bodies that they managed and monitored.

'The miscreants damaged the computer and all documents in the office. We have absolutely no paperwork left.' The board was also in the process of registering another 6,000 trusts. Now the entire exercise will have to be started from scratch.

Will the state government keep its word given to the National Commission for Minorities? For the time being no one knows.

The Times of India, 17 March 2002

POST GODHRA CARNAGE IN VADODARA CITY

This statement is not exhaustive. The information, though not comprehensive, is correct and verifiable. It lists carnage that happened right in front of the police, with the police demonstrating explicit complicity and/or the police turning a blind eye, while the goons got a free hand in inflicting the damage.

LOSS TO HUMAN LIVES:

Persons burnt alive:

Best Bakery, Dabhol Road At least 12 persons burnt alive	All Muslims

Persons killed by stabbing/police firing/otherwise:

30 persons	All Muslims

Muslim families displaced en masse and presently living in inhuman conditions in temporary camps in various Mohallas, mosques, busties (localities):

In Muslim pockets, almost all the mohallas and localities have hundreds of Muslim families (displaced, having lost their houses and belongings and somehow managed to escape the fury of the Hindu hooligans/mobs and run away) who have been taking temporary shelter in whatever little space is available in the mohallas, in homes, near mosques and dargahs or even in open space, creating chaotic conditions. They are being given food by their Muslim brethren but are otherwise living in inhuman conditions.

No government help has reached these hapless people even as of today, 18-03-2002. Some of the temporary camps are listed here:

More than 5000 victims :	Near Madhuram Mosque, near Tandalja, Vadodara
Around 300 victims:	Machhi Pith, Raopura, Vadodara
Around 500 victims:	Nagarwada, Raopura, Vadodara
Around 200 victims:	Qureshi Jamat Khana, Mandvi
Around 300 victims:	Memon Jamat Khana, Mandvi

MOSQUES AND DARGAHS DESTROYED/BURNT/DAMAGED RIGHT IN FRONT OF THE POLICE

Location	Distance from the nearest police station/chowki/picket
Mir Bakarali mosque (Raopura)	within 250 metres, from two police chowkies (Shiyapura and Dandia Bazar)
Salatwada mosque	less than 150 metres
Jaliwala Pir's Dargah, near Sayaji Hospital	right in front of Nagarwada Police Chowki (Ladies cell).
Haji Hamja mosque (Chhipwad)	immediately behind City Police Station, Mandvi
Begam saheb's mosque (Navabazaar)	less than 200 metres from Rokadnath Police Chowki
Dargah near Bajwada Naka	less than 200 metres
Madina Mosque at Tajgira Kabrastan, Kareli Baug Road	about 300 metres from Kareli Baug Chowki, Navi Dharti
Baranpura mosque	within 150 metres from the Wadi police station

Mosque under the overbridge at Pratap Nagar	within 100 metres from the Pratap Nagar police training college
Tarsali mosque	About 1 km from the Police Chowki
Dargah near Udyog Nagar, Ayurvedic Hospital, Panigate	less than 200 metres

PROMINENT ESTABLISHMENTS/SHOPS BURNT, LOOTED, DESTROYED RIGHT IN FRONT OF THE POLICE:

Establishments/shops	Location with respect to Police Station
Textile shops in Mangal Bazar, Nyaymandir and Navabazaar: At least 70 shops – all belonging to Muslims – burnt, looted, destroyed completely	Right in front of the Police; within 100 to 150 metres from the Nyaymandir Police Chowki
Shoe World Tower Shoes Snow White Laundry Tower Jeans	within 10 to 25 metres of the Shiyapura Police Chowki in Raopura
Optic Palace Sujan Medicines	Within 50 megres from either police chowkies; Shiyapura Police chowki and Ahmedabad Pole police special picket
Deluxe Optical	Right in front of Jubilee Baug Special Police Chowki
Indian Boot House, M.G. Road plus 5 other Muslim shops	Within 100 metres from both the Laheripura Police Chowki and the Mandvi Police Station (Headquarters)
Optical Palace, Alkapuri	Within a stone's throw (not more than 100 m) of the official residence of the Police Commissioner, and Collector, Vadodara and the Circuit House

SHOPS/FACTORIES/GARAGES AND OTHER ESTABLISHMENTS BURNT/LOOTED/ DESTROYED:

2 shops in Dandia Bazar	2 shops in Hazarat Paga
15 shops belonging to Pratapnagar mosque	5 factories in the Sardar estate, Ajwa Road
3 shops in Alkapuri	Factories in G.I.D.C., Makarpura

25 garages/factories in Kareli Baug Kabrastan 15 shops in Manjalpur, Makarpura and Chhani	Shops and factories on the National Highway Bypass

HOUSES BURNT / LOOTED / DESTROYED:

6 houses in Salatwada, Raopura 150 houses in Tarsali area 40 houses at Kapurai-Highway bypass 50 houses in Indira Nagar and Adarsh Nagar in Makarpura	20–25 houses in Kisan wadi 12 houses in Hujarat paga 2 houses in Sardar Estate 1 house in Dandiya Bazar, 8 houses in Sayajipura

Source: Secular action groups from Vadodara

ARCH-VAHINI REPORT

Eyewitness Account of Looting and Burning in Kanwat [Gujarat]

I the undersigned, Mr Rajesh Mishra, son of Shri Jagdambaprasad A. Mishra, presently residing and working with a non-governmental organization (NGO), ARCH-Vahini, at Village Mangrol, Taluka Rajpipla, District Narmada affirm on oath that:

1. I was present at my native village Kanwat, Taluka Kanwat, Dist. Vadodara of Gujarat State between March 10/03/02 and 18/03/02.

2. On 12/03/02 and on 13/03/02 in Kanwat more than 250 houses and shop establishments of Muslims including the Bohra community were looted and then set on fire by mobs of tribals from surrounding villages. Most of the houses belonging to Muslims have been totally destroyed and their business is completely ruined. There were 185 Muslim and 52 Bohra households living and conducting their business in Kanwat.

3. Even elders cannot recall when and from where the Muslims came and settled into this interior village Kanwat. Some of them had their traditional businesses like cycle-selling and repairing, automobile garages, fruit vending, grocery shops, poultry, goat farming, etc. Some of the Muslims were also engaged in service in shops and businesses of other trading communities of the village. For the last few years some of them were diversifying into new enterprises

like building construction, contractors, building material supplier, rural transport business with tempos and jeeps, trading in second-hand vehicles, etc.

4. All the 185 Muslim households have lost all of their belongings. Their houses and business premises have been looted, burnt and destroyed. Out of 185 households, 38 had pucca RCC structures and the rest were kachcha structures. They have lost property worth approximately Rs. 3.50 crores: their shops, garages, cabins and lorries and vehicles. They are homeless and have become paupers taking shelter in Vadodara and Chhota Udepur with relatives and Muslim jamatkhanas.

5. 52 Bohra community households were mainly well-to-do traders of Kanwat. They were also settled in Kanwat for more than 100 years and had developed business in varied spheres and on a large scale. Besides their traditional business in the wholesale grain trade and grocery shops, the bakery, printing press, soft drink manufacturing and rural transport business were some of the new areas where the enterprising Bohra had stepped in during the past 2—3 years. Even by a very conservative estimate, they have lost property worth Rs. 7 to 8 crores.

6. From 1 March onwards Muslims were receiving threats and threatening calls from various sources which had made them tense and anxious. They were constantly requesting the local administration, the mamlatdar and police authority to provide protection. As the tension mounted, they also demanded deployment of Border Security Force (BSF) or Rapid Action Force (RAF) or State Reserve Police (SRP) in adequate numbers.

7. Their fears were not unfounded, for the sarpanch and other village leaders had cancelled the traditional weekly market Haat scheduled on 4/03/02 and 11/03/02. Cancelling of the Haat was a most unusual and extraordinary decision because Haats are almost never cancelled. This indicated the gravity of the situation and that danger loomed large over the law and order situation and the target was obviously the Muslim community.

8. The local MLA of Chhota Udepur confided to me personally that for that whole week he was pressurizing and persuading the district administration to deploy BSF/RAF or SRP personnel (minimum 40–50 in number) at Kanwat. He even informed the Home Secretary and the DIG of the State of the looming threat. But the administration did not respond to the requests.

9. On 10/03/02, in a nearby village Panwad, 12 km from Kanwat, the houses, shops and cabins of the Muslim community were looted and set on fire by mobs from the surrounding villages. Prior to looting and setting fire to the houses and other establishments, the mobs had set on fire the tempo trucks that were parked inside the police station campus for safety and security. The incident took place on the very day on which the SRP and the BSF forces were withdrawn from Panwad.

10. As the report of incidents in Panwad reached Kanwat, the Muslims desperately urged the local administration to provide them security or else they would be ruined and their lives in grave danger.

11. The Muslims in Kanwat received this report and they panicked because they knew that it was their turn next, for the stories had been pouring in constantly from all sides during the past ten days that the mobs would first 'do' Panwad, then it would be the turn of Kanwat. I called the District Collector on the same day and informed him that prior to the final attack on Panwad the tribals had constantly threatened that Panwad would be the first, followed by Kanwat. The local BJP leader, who was trying to keep the peace in Kanwat, had also sensed the great trouble. He was also constantly imploring the District Collector and the Police authority to provide adequate police and BSF protection to Kanwat, to avoid the great tragedy that could otherwise overtake it.

12. In the next two days, I made several calls to the Collector and the DSP and pleaded with them to provide security to the Muslims and Bohras of Kanwat. I constantly argued with them to deploy BSF/RAF/SRP in Kanwat.

13. All the district administration had done before this was to organize a flag march of the security forces in Kanwat. I argued out of desperation that this was not useful. Kanwat is an interior village. The Hindu community of Kanwat was not threatening the Muslims. In fact, the Hindus also want the security forces, because the fear was from the mobs from surrounding villages. The administration claimed that they had limited army personnel. I was informed that there were 106 Jawans at their disposal for the area. If so, I argued that they should be divided in three parts and take positions in three sensitive localities, Chhota Udepur, Panwad and Kanwat. I even argued that since Chhota Undepur was a bigger town, maybe Kanwat and Panwad should be assigned 20–24 Jawans along with thirty SRP. A flag march lasting for ten to thirty minutes without the constant presence of the Jawans would serve no pur-

pose, I kept on arguing. My pleadings along with the pleadings of the other leaders fell on deaf ears.

14. On 11/03/02, I contacted the regional in-charge of the National Human Rights Commission, Mr Nambuthiri, in Ahmedabad through Mr Gagan Shethi of Jan Vikas, Ahmedabad and urged him to intervene and impress upon the administration to deploy enough force at Kanwat to provide protection to the Muslims and the Bohra community. The Jan Vikas office informed me that Mr Nambuthiri had contacted the DSP Vadodara and had discussed the matter with him. The office then informed me that I should contact the DSP Vadodara and discuss with him about deploying BSF/SRP forces in Kanwat immediately as I had suggested to him. Following this I contacted the DSP office and discussed with him the above suggestion and also other suggestions about making preventive detentions and imposing curfew.

15. On the same day I also contacted my senior colleague Dr Anil Patel at our headquarters at Mangrol, Rajpipla. I requested him to contact Congress MP Mr Madhusudan Mistry at New Delhi and ask him to intervene. Dr Anil Patel contacted Mr Mistry who in turn immediately contacted the State DIG and the Chief Secretary of the State and asked them to deploy an effective force in Kanwat.

16. I contacted the MLA of our region and he too took up the matter once again with the Chief Secretary and the DIG.

17. I then contacted a senior and reputed journalist of Gujarat, Mr Digant Oza, over the phone. He then approached the Chief Secretary's office, but since the Chief Secretary was not present in the office, he left an urgent message with his personal secretary to be brought to the attention of the CS about the Kanwat situation so that he could act immediately.

18. Rohit Prajapati and Trupti of Vadodara Kamdar Union based in Vadodara had also been interacting continuously with the district administration since 10 March 2002 with a request to deploy an effective force at Kanwat and had been representing to them that the police were not handling the Kanwat situation effectively.

19. The Army unit did not arrive till the night of 11 March. Therefore, in the early morning of 12/03/02 at 3.30 a.m., 135 households consisting of 990 people of Muslim community were shifted under police protection. On the same day, Bohra Muslim families took shelter in the Kanwat police station in the afternoon and later on in the late night these families too were shifted under

police protection from Kanwat to Dahod town of Gujarat. They left their houses and property exposed.

20. On the morning of 12 March 2002, Mr Rohit Prajapati informed me that an army platoon had left for Kanwat and would reach Kanwat anytime and that it would stay until 16 March 2002. The army unit did arrive on 12 March in the morning, staged a flag march and left in about thirty minutes. While the army was conducting the flag march, I was told by one of the traders that soon after the march was over the unit would leave. I panicked and called the District Collector and informed him about this. He seemed surprised and said, 'This should not happen, I will call the DSP'. It is a fact that the unit did leave. Later, I also sent a fax message to the Collector and the DSP that the army had left and the people and property were left exposed.

21. The property of Muslims and Bohras was looted in the daylight of 12 and 13 march. The police force was merely a spectator. It was not that the mob was violent; it was unarmed and consisted of young children and women, but the fact was that the police had not taken any action to prevent the mob from looting, and the administration had not deployed enough force. Even simple measures, like tear gas or firing in the air, were not resorted to by the police to prevent the mob from looting and setting fire to Muslim and Bohra property.

22. On 13 March 2002, the looting and burning spree started from early morning and went on till late afternoon. Suddenly at about 3.15 p.m., the police imposed a curfew and within minutes, drove away the looting mobs. I was wondering why the police did not act in this manner the previous day and earlier that day. Within an hour the mystery was solved. We came to know that the Collector and the DSP were visiting Kanwat. I was asked to see the Collector. I went and told him that if the administration was willing to bring the situation under control and protect the Muslims and Bohras of Kanwat, it could easily have done so.

23. Given the circumstances in which the Muslims and Bohras had to flee and their properties were looted and burnt, the panicked communities are not likely to return to Kanwat for a considerable period of time. When they return it is imperative that a sizeable SRP force is stationed in Kanwat for a fairly long period. It is also imperative that the communities which lost all their properties should be appropriately compensated so that they can restart their lives.

DIVINE TRAGEDY

The mad scientists of the Hindutva laboratory called Gujarat create a deadly pathogen

PRIYANKA KAKODKAR

Those who stepped out on to Ahmedabad's debris-littered streets for the first peace march after the anti-Muslim pogrom a fortnight ago, ironically took the route to Sabarmati Ashram, past the crest-fallen statue of India's apostle of peace and non-violence. Although it's no stranger to communal strife, the land of the Mahatma has never seen anything as big as the recent carnage.

While the Sabarmati Express massacre, in which 58 persons including kar sevaks were burnt alive by a Muslim mob, has been strongly condemned, the pogrom unleashed against the Muslims the following day has been described by those who witnessed it as no ordinary riot. Points out human rights activist Hanif Lakhdawala of Sanchetna: 'This can't be called a communal riot because both communities were not involved. The Muslims were at the receiving end. Observers were also taken aback by the sheer extent of killings in the rural belt, which used to be more insulated from communal discord.

How did things come to such a pass? Analysts point to the backdrop of simmering communal tension in the state, particularly after the Ram Janmabhoomi agitation that began 15 years ago, fuelled by the arrival of a BJP government in 1995. Notes Achyut Yagnik, co-author of *Creating a Nationality: The Ram Janmabhoomi Movement and Fear of the Self:* 'Gujarat has been sitting on a volcano.'

In contradistinction to the Gandhian ideals it nourished, Gujarat has never been known for amiable relations between its two communities. Hindu-Muslim strife was recorded even several centuries ago, before the colonial era. But these were largely localised conflicts between two neighbourhoods, says sociologist Ghanshyam Shah of JNU, Delhi, who has been studying riots in the state. After the British fomented the growth of Hindu and Muslim nationalisms, the conflicts began taking on a new colour. As in other parts of India, communal riots took place here even during Gandhi's time.

According to Muslims, the strong anti-Pakistan sentiment in the state, post Independence, was possibly responsible for the commu-

nal polarisation. Notes Lakhdawala: 'We've a common border with Pakistan, there are many migrants from areas like Sindh who have bitter memories of the Partition and then there's the fact that Jinnah was from Gujarat,' he points out. Indeed, the VHP's Gujarat head, K.K. Shastri, is vocal about Muslims being 'traitors' and 'criminals'. The fact that Gujarat is part of Dawood Ibrahim's territory has lent credence to the stereotyping of the Muslim as a criminal. Says Shastri: 'Bodies such as ours have been formed for the protection of Hindus. Look at how the Islamic terrorists are growing. Look at Osama bin Laden.'

Ahmedabad is particularly notorious for its record of communal conflict. The Ahmedabad riots of 1969 – sparked off by rumours that Muslims has stoned a Jagannath temple – are virtually comparable with the recent carnage. The 1970s saw few incidents of disharmony in the state. But by the 1980s, communal incidents were once again on the rise. In 1985, anit-reservation riots were transformed into Hindu-Muslim rioting. In 1990, there was massive rioting in Gujarat after the BJP's rath yatra, followed by L.K. Advani's arrest. In 1992, there were widespread riots after the Babri Masjid's demolition.

The VHP, which claims to be the strongest in Gujarat, agrees that the rath-yatra period saw the highest growth in its membership.

We had about 9 lakh members by then, says Kaushik Mehta, a VHP leader from Ahmedabad. The formation of the militant Bajrang Dal in the 1980s has been considered another factor responsible for the rise of communal violence. Observes a senior police officer: 'The creation of a civil militia trained in arson has been a major reason why the targeted areas were attacked so quickly and efficiently.' Shastri admits that the Bajrang Dal and the Durga Vahini were specifically formed to protect Hindus. 'They are even given rifle training,' he says.

It was during this time that communal riots started spreading to rural Gujarat. Notes Yagnik: 'The widespread rural riots that we saw this time weren't unusual. They were the culmination of the Sangh Parivar's calculated penetration of rural Gujarat, enabled by the politics of yatras, played out through the 1980s.'

The Sangh also made a concerted effort to make inroads into the tribal belt and attract the Dalits. In the 1985 riots, for instance, the upper castes, the Dalits and the Muslims were divided. But ever since, the Sangh Parivar stopped harping on the reservation issue.

The Hindu identity has become strong for both the upper castes and the Dalits. The burning churches of the Dangs affirmed the tribal society's saffronisation.

Economic factors are also responsible for the Sangh's success in dividing the communities. Says Shah: 'There is recession, and increased casualisation of labour and unemployment. Nearly one lakh workers have been retrenched by the textile mills in the state over the last 10 to 15 years'. The rising competition for fewer jobs has had a fissioning effect. Says Lakhdawala: 'You can see this in the way that Muslim hotels, shops and garages were systematically targeted in keeping with the Hindutva rhetoric 'they are taking your jobs'.

The Opposition too has clearly failed to check the Hindutvaisation of Gujarat. Gandhian Prakash Shah says the factionalism in the state Congress over the past 40 years has led to their failure in re-emerging as a viable alternative to the Hindutva parties now.

Sources say that the politicisation and communalisation of the police has become increasinly evident in the past four years. Says an officer: 'They have made their biases clear and those who want important positions have to fall in line. The day the BJP assumed office, it transferred senior Muslim officials to unimportant posts. None of the Muslim police officers in the state are allowed to handle important assignments like crime.'

It's unclear whether the BJP is likely to benefit politically after the latest round of riots. Observes Shah: 'Through the mid-'80s and early 1990s, as communal rioting spread, the BJP grew in strength. But he points out that the benefits of playing the Hindu card are usually short-lived. Shortly before the recent riots, the BJP had performed poorly in both the panchayat elections and the three byelections in the state. VHP leaders, however, insist that what one saw on February 28 was a Hindu resurgence and that Muslims have been taught a lesson – the same rhetoric that the Shiv Sena resorted to after the Bombay riots of 1992–93.

Outlook, 25 March 2002

SHALL NOBODY SAVE US?

The VHP's Gujarat leaflet would have done the Nazis proud

ASHOK MITRA

The prime minister has appealed to the opposition leaders to be particularly careful while discussing events in Gujarat; it is, he has added, an extremely sensitive situation. Will the prime minister be prepared to make the same appeal to his henchmen in the Vishwa Hindu Parishad and its *Parivar*? There is reason for posing this query. Please read on.

Over the past few weeks, thousands of copies of a circular letter, purportedly from the Vishwa Hindu Parishad, are being distributed in Ahmedabad and other places in Gujarat. A verbatim translation of the leaflet is given below.

Vishwa Hindu Parishad
Satyam Shivam Sundaram!
Jai Shri Ram!

Wake up! Arise! Think! Enforce! Save the country! Save the religion!

Economic boycott is the only solution! The anti-national elements use the money earned from the Hindus to destroy us! They buy arms! They molest our sisters and daughters! The way to break the backbone of these elements is:

An economic non-cooperation movement!

Let us resolve — 1. From now on I will not buy anything from a Muslim shopkeeper!

2. I will not sell anything from my shop to such elements!

3. Neither shall I use the hotels of these anti-nationals nor their garages!

4. I shall give my vehicles only to Hindu garages! From a needle to gold, I shall not buy anything made by Muslims, neither shall we sell them things made by us!

5. I shall boycott wholeheartedly films in which Muslim heroes and heroines act! Throw out films produced by these anti-nationals!

6. We will never work in offices of Muslims! We'll not hire them!

7. We'll not let them buy offices in our business premises nor sell or rent out houses to them in our housing societies and colonies.

8. I shall certainly vote, but only for him who will protect the Hindu nation.

9. I shall ensure that our sisters and daughters do not fall into the 'lovetrap' of Muslim boys at schools, colleges and workplaces.

10. I shall not receive any education or training from a Muslim teacher.

Such a strict economic boycott will throttle these elements! It will break their back-bone! Then it will be difficult for them to live in any corner of this country. Friends, begin this economic boycott from today! Then no Muslim will raise his head before us! Did you read this leaflet? Then make ten photocopies of it and distribute it to our brothers. The curse of Hanumanji be on him who does not implement this and distribute it to others! The curse of Ramchandraji will also be on him! Jai Shri Ram!

—A true Hindu patriot.

N.B. The kites we use on kite-flying day are also made by Muslims. The fireworks are also made by them. We should boycott these too. Jai Shri Ram!

There is no end of poetry in the world, so say the goody-goody lyric-lovers. They are wrong. There is actually no end of bestiality in the world, *vide* the text of the leaflet reproduced above. Till now, no repudiation of the circular has been forthcoming from VHP quarters, so we have to take it as both authorized and authoritative. The contents of the leaflet would have done the Nazis proud in Germany 70 years ago. We know the holocaust that took place in that country and the rest of Europe subsequently.

There has been a recrudescence of trouble, including stabbings and killings in Gujarat, following the circulation of this priceless leaflet. This could be, one is afraid, only the beginning. Much worse things might follow if the administration and the forces of law and order do not bestir themselves. And there are no signs of their bestirring themselves.

The Student's Islamic Movement of India has been banned in the country, and with great fanfare. Even if all the other crimes of the VHP were overlooked, the text of the circular reproduced above must constitute more than adequate ground to declare it an unlawful organization and suppress mercilessly all its activities.

To be candid, little ground exists for assuming that the state government of Gujarat or the regime at the Centre presided over by the Bharatiya Janata Party will do what is even minimally necessary in the matter. The junior parties in the National Democratic Alliance coalition have their own narrow short-term considerations. They are apparently not overly concerned about the survival of the nation in the long run. This is why a plea needs to be posted directly to the chief justice of India. Given his Broach ancestry, he, one is sure, is reasonably well versed in Gujarati language, and is therefore in a position to read the leaflet in original. The blood of any sensible Indian patriot, pledged to defending the secular credentials of the nation, cannot but boil after assimilating the message sought to the transported to the Hindu community in Gujarat. It is an invocation to anarchy and civil war. Fire has a contiguous quality, and a conflagration, once started in one corner of the country might spread unbelievably fast all across the country.

The prime minister does not have either the inclination or the clout to restrain the savage ones who constitute the bulwark of support for his party. He has already provided enough evidence of that disability. The president of the republic is hamstrung by Article 74 of the Constitution and cannot take any action without the leave of his council of ministers. The sane overwhelming majority of the nation has therefore little alternative but to approach the highest judiciary in the land as last resort. The Supreme Court needs to act as expeditiously as possible and issue directives to the governments both at the Centre and in Gujarat to stamp out the VHP menace. The luxury of posting a public interest petition with it could be dispensed with in the present instance, for even the shortest delay could mean an irretrievable calamity.

But a substantive problem can still be faced by all concerned. It is a harsh reality that the fanatics out to destroy the nation are no believers in the democratic mandate; they are equally convinced of their competence to browbeat the authorities. They will continue to apply pressure through various intermediaries. That apart, a substantial number of people exist in the country who persist in taking a supercilious view of things. What has happened and is happening in Gujarat, they will argue, is a localized affair and it does not concern the rest of the country. According to some others, the VHP mad-hats are a transient phenomenon; should you look the other way, they will disappear in no time.

For this naive multitude, one can do no better than remind them of the lament penned by that pastor in Germany, Martin Niemoller, some seven decades ago: 'First they came for the Jews, and I did not speak out because I was not a Jew./ Then they came for the communists, and I did not speak out because I was not a communist./ Then they came for the trade unionist, and I did not speak out because I was not a trade unionist./ Then they came for the Catholics, and I did not speak out because I was not a Catholic./ Then they came for me, and there was no one left to speak out for me.'

Things have come to such a pass that one does not feel confident anymore that even the highest judiciary, unless it strikes immediately, would be in a position to wield its authority for any great stretch of time. The fury of the trishul is about ready to lay the edifice of the nation in total ruin.

The Telegraph, 28 March 2002

'THIS MAN IS THE REAL CULPRIT. HE GOT OUR PEOPLE KILLED'

— A riot victim to Vajpayee

MONOJIT MAJUMDAR AND VINAY MENON

For a lot of people, the massacre of kar sevaks at Godhra – and the communal holocaust that followed – was a disaster waiting to happen. Gujarat is the only state in the country where the Vishwa Hindu Parishad (VHP) can be said to have some kind of mass base; it is also a state that has seen among the highest numbers of riots in free India.

Add to this the rapid build-up to an explosive situation in Ayodhya and the BJP's repeated defeats in elections across the country, and the violence does not seem unexpected at all.

The question is, could it have been prevented? Did the Narendra Modi administration do enough to prepare for a Godhra-type incident — and once the riots broke out, did it discharge its responsibilities in accordance with its constitutional obligations?

In its report on Gujarat, the National Human Rights Commission (NHRC) observed that it was 'the primary responsibility of

the state to protect those who constitute it'. It was also the state's responsibility 'to ensure that such rights were not violated either through overt acts, or through abetment or negligence'. The responsibility extended not just to the state's own agents, but also to 'non-state players acting within its jurisdiction'.

In its reply to the commission's notice, the Gujarat government said it had 'no specific information' on the return of the kar sevaks from Ayodhya by the Sabarmati Express. There was zero intelligence from the state intelligence branch and central intelligence agencies, and the 'only message' from the Uttar Pradesh police had been received a day after the attack had taken place.

The NHRC thought this constituted an 'extraordinary lack of appreciation of the potential dangers of the situation'. Gujarat has had a history of major riots (as many as 443 large flare-ups between 1971 and 2002), and the state government was expected to 'mark the events leading to the Godhra tragedy and subsequent deaths...'

Once the rioting began, some traditionally communally sensitive districts were able to control the violence much better than other, historically less-prone, districts. This, the NHRC thought, pointed clearly to 'local factors and players overwhelming district officers in certain cases'. it has asked for the state government's report on 'what these factors were, and who the players were'.

Allegations abound of inaction by a hopelessly compromised police force in riot situations, of deliberate delay by the government in taking important operational decisions, and of mismanagement of relief operations. More than a month after the riots began, incidents of violence continue to be reported from across the state. It is clear that the government has lost the confidence of practically the entire Muslim population of Gujarat.

Gujarat has been referred to as Hindutva's laboratory experiment — a pilot project on whose success is hinged plans to carry out cultural cleansing operations throughout the country.

Chief minister Narendra Modi, putative architect of the experiment, is in the dock. Though a judicial commission looking into the riots is yet to submit its findings, a trial by the media has already declared him guilty. From the perspective of the accused, this may be unfair; but even Modi would not be able to deny that the charges – and circumstantial evidence – against him are very strong indeed.

1. Modi took too long to ask for the Army. Quicker action might have saved more lives. His police were blatantly partisan

Narendra Modi says he asked for troops in the evening of February 28. The defence minister reacted instantly, landing in Ahmedabad within the first hour of March 1. Shortly after daybreak, he was out on the burning streets. By noon, Army columns were flagmarching in the city. So where was the delay?

The delay came not after Modi asked for the army, but *before* it. The fast work is to the credit of George Fernandes and his men, not him.

By his own admission, the chief minister let 32 hours pass between the time he got to know of the Godhra killings and the time he sent the SOS to Delhi. If what happened post Godhra was unprecedented, so was Godhra itself. Lay citizens countrywide had begun to speak of a terrible fallout from the time the news went on TV by mid-morning on Febraury 27. Modi had the whole day to meet with police brass and chalk out strategy. His advisers must have told him what to expect. By evening, he must have had intelligence on VHP and Bajrang Dal plans for the next day. But he did not react.

By 11 the next morning, two things were clear: one, Ahmedabad was faced with a scale of communal fury unknown since 1969; two, controlling it was quite beyond the city's 1,500 armed policemen. 'I have never seen anything like this,' said commissioner P. C. Pande. Still, it took till evening to ask for the troops.

Modi would have known he wouldn't be able to control the Army the way he could control the Gujarat police. Was the delay deliberate? Or was it plain ineptitude, product of inexperience?

That the Gujarat police stood by the watched – if not actually helped – the mobs, has been said so many times by so many observers that it stands almost as established truth now. At Naroda Patia, where the worst violence took place, there were practically no policemen, and the State Reserve Police refused to let fleeing Muslims into their HQ located a stone's throw away.

In Chamanpura, where former Congress MP Ehsan Jaffrey was burnt alive, police arrived too late, and in numbers that were too few. Elsewhere in the city, their colleagues were actually pointing out Muslim homes and shops to Hindu killers. The baying bands howled slogans that oozed confidence in the police's partisanship: '*Andar ki baat hai, police hamare saath hai*.'

In Panchmahals and Sabarkantha, practically every Dawoodi Bohra-owned business was destroyed. The mobs ferreted out Muslim shops from clusters of 40 or 50 establishments – the leaders carrying cellphones, electoral rolls and detailed civic information to

help in the identification. Hindutva champions had reportedly been going around municipal offices seeking details of Muslim residents for almost a fortnight before Godhra happened.

Through the night of February 27–28, the VHP and Bajrang Dal worked on the blueprint for the next day's pogrom. There were rumours that Modi had been given a deadline to act against the Godhra criminals by late night, or else face the consequences. When he wasn't seen to be taking decisive action, the Hindutva brigade went ballistic with preparations for the bandh. They were not disturbed. By reportedly instructing the police to go soft, Modi actually encouraged them.

In the morning, several of Modi's Assembly colleagues were reportedly out on the streets, leading the mobs. For a long time, arrests of VHP and Bajrang Dal cadres remained sporadic. The NHRC team took serious note of numerous 'wrongly recorded FIRs', and 'influenced' investigations.

Lack of experience?

2. Modi has no strategy for restoring to people what they have lost. He tried to discriminate while handing out aid.

The relief package that Prime Minister Atal Behari Vajpayee announced during his Ahmedabad-Godhra visit on April 4 – the ex gratia, rations and housing recompense – was the first concrete assurance of state help that the riot victims got in well over a month.

For a full 35 days, the Narendra Modi administration's relief effort stood as though frozen in time. There were no indications on what the government planned to do for men, women and children left utterly destroyed by the violence – people who had lost homes and businesses built over years, and who now had virtually nothing left to live by. This, together with the continued rioting statewide served to reinforce in Muslim minds the image of an unfeeling and callous administration in Gandhinagar.

This impression had taken root early.

Soon after the rioting began, Narendra Modi made the blatantly partisan – and transparently unconstitutional – announcement that relatives of the (Hindu) dead of Godhra would get Rs 2 lakh in ex gratia, while those of (Muslim) victims in the subsequent rioting would have to make do with Rs 1 lakh. Just rewards, presumably, for the perpetrators of the 'action' that Modi – and later his home minister Gordhanbhai Zadaphiya – said provoked the 'reaction'.

Union minister Shahnawaz Hussain – the so-called Muslim face of the BJP – was outraged enough to go public with the demand for equal compensation for all victims of the communal hatred. Under fire, Modi backtracked: on March 9, it was announced that the ex gratia would be Rs 1 lakh for all victims. According to the government, this came after relatives of dead kar sevaks wrote to Modi saying they would be happy with less.

Not that the March 9 announcement meant people would actually get the money any time soon.

Till April 4 – the day the Prime Minister came calling – not one of the 10,000-odd inmates of Ahmedabad's Shah Alam mosque safe house had got a paisa for lives or property lost in the violence. Officials have been insisting on seeing 'proper documents' before clearing claims – so what if all papers had perished along with the homes of the victims?

The state government is yet to finalise a policy on the issue of missing persons, a large number of whom must now be dead. But no relative can claim compensation till they produce actual proof of the deaths – a 'proof' that survivors say was reduced, like the 'proper documents', to ashes long, long ago.

3. Modi ordered the transfer of several IPS officers who did their duty during the riots. The sensitive posts they occupied have gone to known BJP lackeys.

On a recent Sunday, hotshots of the Modi administration huddled in a meeting, finalising punishments for Gujarat 'disobedient' policemen. Soon after, transfer orders went out to several IPS officers statewide. Each of these officers had been firm with Hindu mobs in his area; each of them now occupies a less important post than the one he held during the riots. A ready reckoner:

- Vivek Srivastava, SP, Kutch. The young officer arrested a Home Guard commandant after he assaulted a Muslim woman. The commandant is a known VHP worker. Srivastava has been shunted as SP (Prohibition). A Gujarat Police officer has taken his place.
- Rahul Sharma, SP, Bhavnagar. The riots erupted when he had been in charge for only 25 days. Sharma fired on a mob that was trying to set a *madrassa* on fire, and put all its leaders behind bars. A local BJP leader wanted them released. Sharma told him to get lost. The officer is now DCP (Control Room).
- Praveen Gondia, DCP Zone IV, Ahmedabad City. Gondia registered FIRs against prominent BJP and VHP leaders for their

role in the rioting. He has been transferred to Civil Defence.

- Himanshu Bhatt, SP, Banaskantha. He suspended a sub-inspector who had let a Hindu mob plunder a village in the district. The SI is close to several BJP and VHP leaders. Bhatt has been transferred to the Intelligence Bureau.
- Manoj Antane, SP, Bharuch. He cracked down fast and hard on rioters across the communally sensitive district. He has been transferred as SP, Narmada; a less important, smaller district.

Apart from vendetta and the urge to teach tough officers a lesson, what could have been the compulsions behind the transfers?

One, the possibility of elections. Though a clear pattern is yet to emerge, it is certain that moves are afoot to pack important posts with pliable men who would do the ruling party's bidding should Modi decide to dissolve the Assembly and go in for a snap poll.

Two, a precaution for possible President's rule. This is extremely unlikely. But should the BJP be pushed by NDA allies into sacking Modi, the chief minister would like to have his men in all key posts in the administration.

The move to interfere with the integrity of the police has kicked up a storm. The IPS officers' association has decided to meet for discussions, and the state's top policeman has lodged a protest. Perhaps to pre-empt challenges, the Gujarat government filed about a fortnight ago an application with the Central Administrative Tribunal, pleading that it should, before taking action on appeals against transfers, allow the state government to have its say.

The transfers have sent a dangerous message down the ranks. 'This is the first time that police in any part of the country have been taught inaction,' said a senior officer. 'The fallout of this would be disastrous. The next time we have a riot and a constable sees a senior officer being assaulted by a mob, he'll probably just stand back and watch.'

4. Modi tried to politicise tragedy. He tried to get votes out of riots.

It is widely believed that the chief minister wants the Gujarat Assembly polls to be brought forward from their scheduled date in March 2003. He is alleged to have used the rioting to polarise the electorate, banking on heightened Hindu militancy to return to power for another five years. Victory in Gujarat would not only mean consolidation of Hindutva in its original citadel; it would also break the BJP's consistently falling popularity graph across the country.

Following his meeting with the Prime Minister in New Delhi on March 27, however, Modi denied he had sought the party leadership's permission to press ahead for a snap poll.

'How can I even dream of elections when my state is in flames,' he told reporters. 'My priority is the return of peace.'

What is probably closer to the truth is that Vajpayee, apart from pulling Modi up on the continuing lawlessness and lack of relief initiatives, had also rejected outright his plea for mid-term elections.

Be that as it may, if Modi is wagering on a resurgent Hindu constituency in the aftermath of the riots, he's probably wagering well.

The chief minister has said repeatedly that the entire criticism against him has come from politicians and activists outside Gujarat – and he is almost entirely correct.

Within the state, the Congress has been guarded in its response – and despite a belated demand for central action under Article 355, the fact remains that Congress stalwart Kamal Nath, on a visit to the state soon after the riots began. steered clear of demanding Modi's head. 'I am not here to play politics,' Nath was reported to have said.

And not too long after February 27, Gujarat PCC chief Amarsinh Chaudhary back-tracked on his initial criticism of the Sabarmati Express kar sevaks for bringing the Godhra attackers upon themselves.

The Sangh Parivar at large is of course, with the CM.

Bajrang Dal leaders like Hareshbhai Bhatt have been praising the actions of 'Narendrabhai' and the image of the hardline Hindu – its contours sharpened by relentless secularist attack – has the blessings of the RSS. On April 2, BJP Chief K. Jana Krishnamurthi refused 'to join the ranks of those who have been critical of Modi'. The business community in Gujarat had made 'no caustic comments against the chief minister'.

Clearly, Modi stands to gain by using tragedy for votes. He denies he did, but seems to have little to show for it.

5. *Modi has been insensitive to trauma. His comments smack of callousness.*

Narendra Modi seems to keep forgetting he is now the chief minister of Gujarat, not the Hindutva *pracharak* he has spent his life being. Ever since Godhra and the beginning of the rioting, Modi has been making statements that are irresponsible and insensitive – sometimes cruel.

At a press conference on March 1, the chief minister spoke of the Hindu retaliation as a 'reaction' that was bound to follow the 'action' at Godhra.

The statement triggered a storm of sarcastic headlines about the new Isaac Newton, and provoked a recollection of Rajiv Gandhi's similarly odious statement on the riots after the assassination of Indira Gandhi. Modi later told *Hindustan Times* he had made no such statement.

Again and again, even as riots raged unabated and spread to new areas, Modi insisted he had brought the situation 'under control' within three days.

In a preliminary report to the NHRC, his government repeated that 'violence had been contained in the first 72 hours' – and that continued incidents in Ahmedabad, Baroda and in towns of Panchmahal, Sabarkantha and Mehsana were only 'on account of widespread reporting in the media'.

The commission rejected the peace-in-72-hours claim outright – 'it would be naive to subscribe to this view'. So, even without abandoning his assertion of having restored normalcy in 72 hours, Modi shifted the blame for continued rioting from the media to Parliament.

At a BJP meeting, he made the fantastic accusation that the fires in Gujarat were smouldering only because the Lok Sobha was in session – members were fanning the hatred through statements made in the House.

For Modi, sincerity of the government response to Gujarat's immeasurable human tragedy seemed to be measurable by numbers alone: police fired 1,000 rounds on the very first day, 1,000 Muharram processions were taken out peacefully, 4,000 Hajis returned to 22 districts...

But for the traumatised Muslims of Gujarat, numbers could not have brought reassurance. Confidence in the government lies shattered. No senior official or politician had visited the Shah Alam safe house till the NHRC team's March 14–22 trip. As riots raged outside, many safe house inmates succumbed to injuries or illnesses because there were no policeman to escort them to hospital.

Modi did, however, visit a relief camp where displaced Hindus were lodged. He reportedly got a biosterous welcome. The inmates said they were happy with facilities at the camp – '*mazey mein hain*'.

Hindustan Times, April, 2002

DID THE MEDIA RANSACK SHOPS, TAKE LIVES, MR MODI?

RAJDEEP SARDESAI

The messenger has been shot yet again. Kargil, Kandahar and Gujarat: the media, and more specifically 24-hour news networks, have become target practice for a government seeking to cover-up its own ineptitude. In Kargil, the media was accused of breaching national security even while the obvious intelligence failure on part of the military apparatus was hidden away in bureaucratic files. In Kandahar, the media was charged with placing undue pressure on the government to negotiate with the hijackers even though not one channel had even remotely suggested that the external affairs minister should take along Masood Azhar as a travel companion on a flight to Afghanistan. And now in Gujarat, the accusation is of 'inflaming communal passions' when the fact is that the flames of communal hatred have been stoked by a mob, a section of which at least has been patronised by the ruling establishment in Gandhinagar.

Was it the media that provoked the horrific violence at Godhra's railway station? Was it the media that called for a 24-hour Gujarat bandh the next day that saw the violence spiral out of control? Did the media ask people to come out on the streets and ransack shops and business establishments belonging to one community? The pogroms that were committed in Ahmedabad, Vadodara and other parts of the state were surely not sanctioned by the media.

The government chargesheet against the news networks is that we kept showing visuals of the carnage, and in the process incited violence. But does anyone seriously believe that the telecasting of burning shops and houses motivates people to immediately rush out and start a fire? After all, it was the mob that was determining the pace of events, and not the channels who were merely reporting what was happening on the ground. Since post-September 13 our government ministers see the American media as the barometer for 'television ethics', and have often castigated the Gujarat coverage by comparing it with 'responsible' networks in the US. In that case, they might well wish to see the network coverage of the Los Angeles racial riots a decade ago when the channels kept showing the Rodney King assault incident that sparked off the violence.

The flip side of the government argument would be that the television channels should have been restrained to the point of virtually blanking out the mob frenzy, and instead stated that the government was firmly in control of events. Unfortunately, nothing could be further from the truth, especially in the first 48 hours of chaos. To indicate, for example, that the police was simply not acting against the law-breakers could hardly be seen as 'demoralising' the police force, but only emphasising the fact that the mob on the streets was being allowed to get away with their actions.

Again, if any reporter, whether print or television, sees large-scale violence being committed, is the journalist to ignore the hard reality and merely present the fact as seen through government binoculars? If the chief minister says that the situation is returning to normalcy even while reports are streaming in of continuing violence in several parts of the state, are not the lies to be exposed? And if the government insists that the army is out on the street when the fact is that the army has been kept on stand-by and is waiting for transport trucks, whose version is to be broadcast?

The government chargesheet also says that television reporters were often using words like 'Hindus' and 'Muslims', and thereby further vitiating the atmosphere. It is apparently a long-established tradition that communities will not be named in riot situations. Instead, we are told, that 'group clashes' or terms like 'minority' and 'majority' community should be used to describe the violence. No one is quite sure who initiated this practice, but once again it does seem a bit like obfuscation, and an attempt to inject a false blandness to the harsh and grim reality of a communal riot. If the shop of a Bohra Muslim has been attacked, should that be disguised by suggesting that a shop belonging to a 'a member of a minority within the minority community' was attacked?

The more serious accusation against the media is that we were somehow biased against the state government in particular, and in the process Hindus in general. It's a charge that has been repeatedly made over in the years by the Sangh Parivar, especially against the English-speaking media, both print and television. By attempting to pigeon-hole a section of the media as the so-called 'secular Taliban', the aim appears to be to create a divide between the Hindutva patriots versus the anti-national pseudo-secularists. This divide has been at the heart of the Sangh Parivar's propaganda campaign.

The sheer viciousness of the campaign has pushed the media on the defensive, and perhaps made some of us even more conscious

of the need to be even-handed at all times. In Gujarat for example, no one has shied away from emphasising that local Muslim leaders in Godhra were involved in the train tragedy. At the same time, the fact is that VHP and Bajrang Dal activists were leading mobs in several areas where some of the worst attacks took place. The chief minister may have tried to push the Newtonian law by saying that every action invites a reaction, but for the media such comments only expose the state's rather shameful attempt at rationalising the violence. The charge of bias should not lie at the door of the media but at the gates of Gandhinagar, where the political leadership has ridden the back of the VHP–Bajrang Dal tiger for much too long to now quickly climb off.

This does not mean that the media does not need to introspect. High drama – war, violence, terror – is staple diet for the 24-hour news channel. Such is the nature of the beast that the powerful images that are captured on film in a riot situation can make for gripping viewing. In such situations journalism can become a glamorous performance and can blur the essence of a report. The 'tabloidisation' of the medium is grave concern, and makes some element of self-censorship essential.

But as news networks evolve, so must the government's response to the new media revolution. This is the first government in the country that has to deal with 24-hour news channels. In Gujarat the absence of credible information being provided on a regular basis by the government was once again glaring.

In America, for example, the state has perfected the art of using the media's reach and power to try and defuse crisis situations. Here, the attitude on the other hand is to ration information and then to question the credentials of those who try to go beyond administrative platitudes. Ironically, Narendra Modi is supposed to be one of the country's most media-savvy politicians who even did a course in New York on media management. Maybe, he needs to go in for a refresher before he begins issuing diktats banning television coverage.

The Indian Express, 7 March 2002

'WHO ARE THESE PEOPLE ACCUSING US, INDIA WAS SECULAR BEFORE MUSLIMS, CHRISTIANS CAME HERE'

Reprinted here is the English text of the speech delivered in Hindi, by Prime Minister Atal Behari Vajpayee at a public meeting in Goa on April 12.

I was in Cambodia just recently. It is the Kamboj state of the past, where magnificent temples that kissed the sky were built in the 10th and the 11th centuries. It had Hindu states ruled by Hindu kings. There were others too among the citizens, but there was justice towards all. Sometimes the kings also used to fight among themselves. The wheel of victory and defeat rolled on. But during their centuries long history there isn't a single of of a Hindu king destroying temples or breaking idols when he attacked another Hindu king. The kings who were victorious used to build a new temple. If Vishnu was being worshipped there earlier, later Shiva began to be worshipped. If Shiva was being worshipped at one time, then other deities began to be worshipped later. Nevertheless, no king destroyed a temple or damaged the deities' idols at the time of attacking another king.

This is our culture. This is our outlook, which treats all faiths equally. Yet, accusations are being hurled today that secularism is under threat. Who are these people accusing us? What is the meaning of secularism for these people? India was secular even when Muslims hadn't come here and Christians hadn't set foot on this soil. It is not as if India became secular after they came. They came with their own modes of worship and they too were given a place of honour and respect. They had the freedom to worship God as per their wish and inclination. No one thought of converting them with force, because this is not practised in our religion; and in our culture, there is no use for it.

Today the 100 crore people of India are engaged in creating their future on the basis of their own culture. Sometimes, minor incidents do take place here and there; sometimes these take the form of major incidents. But if you go to the root of these incidents, you will find intolerance, you'll find them to be a manifestation of growing intolerance.

What happened in Gujarat? If a conspiracy had not been hatched to burn alive the innocent passengers of the Sabarmati Express, then the subsequent tragedy in Gujarat could have been averted. But this did not happen. People were torched alive. Who were those culprits? The Government is investigating into this. Intelligence agencies are collecting all the information. But we should not forget how the tragedy of Gujarat started. The subsequent developments were no doubt condemnable, but who lit the fire? How did the fire spread? Ours is a multi-religious country, a multi-lingual country, we have many different modes of worship. We believe in peaceful and harmonious co-existence. We believe in equal respect for all faiths. Let no one challenge India's secularism. I have read somewhere in newspapers that the Congress Party has decided not to try to topple my Government. Shall I thank them for this? Or shall I say that the 'Grapes are sour'? How will the Government fall? Once they did topple it, but they couldn't form one themselves. Then a fresh mandate from the people was called for, and the people once again gave us an opportunity to serve them.

For us, the soil of India from Goa to Guwahati is the same, all the people living on this land are the same. We do not believe in religious extremism. Today the threat to our nation comes from terrorism. Wherever I went around the world, the heads of state of elected governments complained to me that militant Islam is sowing thorns along their paths. Islam has two facets. One is that which tolerates others, which teaches its adherents to follow the path of truth, which preaches compassion and sensitivity. But these days, militancy in the name of Islam leaves no room for tolerance. It has raised the slogan of Jehad. It is dreaming of recasting the entire world in its mould.

You will be surprised to hear this – indeed, I too was surprised that some terrorists belonging to Al-Qaeda were arrested in Singapore. The rulers of Singapore could not even have imagined that Al-Qaeda would be active in their country, too; that Al-Qaeda would hatch a conspiracy in Singapore too. Some 15 or 16 persons were arrested; an investigation is underway, which will reveal the truth. The same is happening in Indonesia. The same is happening in Malaysia. Wherever such Muslims live, they tend not to live in co-existence with others, not to mingle with others; and instead of propagating their ideas in a peaceful manner, they want to spread their faith by resorting to terror and threats. The world has become alert to this danger.

As far as we are concerned, we have been fighting against terrorism, for the past 20 years. Terrorists have tried to grab Jammu and Kashmir through violence, but we have countered them. Jammu and Kashmir is an integral part of India, and will forever remain so. No other country's dream will ever come true. Now other nations in the world have started to realise what a great mistake they did by neglecting terrorism. Now they are waking up, and are organising themselves. They are putting together an international consensus against terrorism.

We tell them through our own example that a large number of non-Hindus live in our country, but there has never ever been religious persecution here. We have never discriminated between 'our people' and 'aliens'. The modes of worship may differ, but God is one. Only the paths to reach Him and realize Him can be different. It is for this reason that India's prestige is growing. India's reputation is rising. I have also had an occasion to visit many other countries. Everywhere Muslims live in large numbers. And the rulers in those countries are worried lest those Muslims embrace extremism. We told them that they should educate people on the true tenets of Islam, that they should teach science in madrassas, and that they should also teach other subjects in madrassas. Islam too should be taught, but emphasize that people should live together and that that it is necessary to accept that faith cannot be propagated on the strength of the sword.

Our Government has completed two-and-a-half years. We have tried to change the face of our country. In a country, which once had a scarcity of foodgrains, which used to import foodgrains, to feed its people, in that very same country we have created a situation wherein, thanks to our toiling kisans, a day has come when we export foodgrains to other countries and feed the stomachs of their citizens.

We have large foreign exchange reserves. We are progressing in science and technology. Our young men and women are excelling in global competition. Even in the midst of an economic recession, India is progresing, India is marching ahead. When taxes are imposed in the budget, it is bound to create some difficulties, but in turn, we are fulfilling many needs of our people. We have taken up such works and projects that were never touched in the past. We want to create world-class national highways of four lanes that link the North to the South and the East to West, and on which there can

be obstruction-free traffic. Work has already begun on this massive National Highway Development project covering 13,000 kilometres. We will spend 60,000 crore rupees on this project. We want to build a net-work of good roads all over the country.

We have also prepared programmes and projects for the development of Goa. There is a proposal to link Goa to the Golden Quadrilateral part of the National Highway Development Project. I wish to assure you that we shall do everything possible to implement this proposal. For this the National Highway No.17 will be widened to four lanes. We shall see to it that this proposal goes ahead.

When I had come here last time, I had spoken about improving the sewerage system along the coastal belt of Goa. Beach tourism is adversely affected by this. It is very necessary that the sewerage system is improved along the coastal belt if we want that tourists come here. Nature has made Goa very beautiful. It has a sea coast. Goa is an enchanting place. Tourists wish to come here in large numbers. However, we need to create better facilities for them. The State Government is making efforts in this direction. I wish to assure the State Government that wherever Central assistance is needed, we shall provide such assistance in required quantity.

Goa is also paying attention to the development of roads. We are trying to build roads to connect all the unconnected villages. Goa does not have unconnected villages and hilly regions, but it has a large, well-spread out area. It is necessary to link it with good roads and to make communication smooth. The problem of water is growing in North Goa. Pollution too is becoming a serious problem. If any project to tackle these problems comes before the Government, we shall provide assistance to them and contribute to their completion. Goa will once again pass through a trial. The Goa Government acted on its own to dissolve itself. This showed that those who were running the Government in Goa had no lust for power. When they realised that the atmosphere had got polluted, that party-hopping had started, and that they were not in a position to serve the people, then our friends dissolved the Legislative Assembly in Goa.

Now a new Assembly will be elected. It will be elected with your votes. It will be elected with your choice. You elect such a new Government that will be stable, that will be free of corruption, and that will open up new avenues for Goa's progress. The forthcoming election will give you an opportunity to do so. If necessary,

we in Delhi shall mobilise resources for your development. At the very least, we shall certainly send you our best wishes.

English text of the speech delivered in Hindi at a public meeting in Goa on 12 April 2002.

The Indian Express, 24 April 2002

EUROPEAN PARLIAMENT CONCERN OVER VIOLENCE IN THE INDIAN STATE OF GUJARAT

Joint motion for a resolution on India

Doc. : B5-0287/2002, B5-0291/2002, B5-0298/2002, B5-0299/2002, B5-0304/2002
Debate: 16.05.2002
Vote : 16.05.2002

VOTE

Following the recent outbreak of violence in the Indian state of Gujarat, leading to the loss of more than 900 lives, MEPs adopted a resolution strongly condemning all sectarian violence in India which followed the burning to death of 58 Hindus on a train earlier in the year. There is a call on the Indian government and the State government of Gujarat to continue investigations into the killings with a view to bringing those responsible to justice. The Commission and Council are requested to support the Indian government with relief programmes to the area.

MPS' LETTER TO THE HOME MINISTER RE CAMPS, REHABILITATION

May 18, 2002

Dear Home Minister,

It is reported that some of the relief camps in Gujarat are about to be closed. A letter written by Shri Bharat Bharot, a Minister in the State Government, has been made public. In fact some camps were closed following an order of the Collector of Dahod to the Mamlatdars of Dahod, Jhalod and Limkheda. We demand that no relief camp should be closed until appropriate infrastructure is provided for rehabilitation of the inmates. The victims are asked to return to their homes which were destroyed by the mobs and do not exist any more. Furthermore, they are attacked by the neighbours and there are pamphlets in wide circulation exhorting Hindus not to employ Muslims and to boycott Muslim shops and businesses. In such circumstances where will they return to? There is indeed, a devious plan of the State administration to shift these victims as far away from Ahmedabad as possible and out of the public eye.

We urge Government to spell out clearly the amount of compensation packages to the victims, the criteria for eligibility and the timeframe for paying the compensation. There are a number of cases where victims have been given cheques worth Rs 200 and Rs 300 where their entire house has been destroyed. A person cannot even open a bank account with such amounts and they are not sufficient to buy even a door much less any sort of house.

We demand that the rule that calls for a death certificate or a corpse in order for the next of kin to qualify for compensation should be waived. This rule was waived for the victims of the earthquake. In the present case many bodies have been burnt or buried in mass graves making retrieval impossible.

We urge you to direct the Sate Government of Gujarat to take immediate action as per the above suggestions so that the confidence of the people is restored and a measure of normalcy returns to that beleaguered State. We and most members of Parliament would like to contribute to this relief effort with funds available to us under Member of Parliament Local Area Development Scheme

(MPLADS). Government may permit us to do so. The situation in Gujarat is indeed a national calamity.

Yours sincerely,

EDUARDO FALEIRO
PROFESSOR RAM GOPAL YADAV
PROFESSOR RAM DEO BHANDARY
JUSTICE RANGANATH MISRA
MIRZA ABDUL RASHID
SMT SARLA MAHESHWARI
DR ARUN KUMAR SARMA
SHRI KULDIP NAYAR
B.S. RAMOOWALIA

CONCERNED CITIZENS TRIBUNAL

Interim Observations, Gujarat 2002, May 15, 2002

The Concerned Citizens Tribunal consists of the following members: *Chairperson*: Justice Krishna Iyer (Retd. Judge, Supreme Court). *Members*: Justice P.B. Sawant (Retd. Judge, Supreme Court); Justice Hosbet Suresh (Retd. Judge, Bombay High Court); Justice G.G. Lone (Retd. Judge, Bombay High Court); Mr K.G. Kannabiran, Senior Advocate; Dr K.S. Subramanian, IPS Officer (Retd.); Dr Ghanshyam Shah, academic and social scientist; Ms. Aruna Roy, former IAS Officer and social activist; Dr Tanika Sarkar, historian.

The Concerned Citizens Tribunal – Gujarat 2002 (Chairperson Justice V.R. Krishna Iyer, Retd.) has been conducting sittings in different locales in Gujarat over the past fortnight. The Tribunal has received serious and grave accusations of the large-scale violation of human rights on sections of the population in the State. These violations include barbaric attacks on life and dignity, including brutal sexual violence on women, the systematic destruction of homes and livelihoods and attacks on and destruction of places of worship of the minority community. Fire was used to kill after human beings had been quartered and mutilated; worse still, the bodies of

the victims were charred beyond recognition. Homes and businesses that were rampaged and destroyed through arson were thoroughly looted first.

It is a matter of serious concern that thousands of men, women and children (including unborn babies) were killed; hundreds of thousands internally displaced or missing; a large number of women widowed or children orphaned and many maimed and injured for life. The economic life of the people and mutual trust among communities has been totally destroyed. A pervasive sense of fear haunts the people and the displaced persons are unable to return to their homes.

During the course of the hearings where several dozen testimonies were recorded and many more placed on record, witnesses have repeatedly testified to their abject loss of confidence in the Government and the administration including the police. The Tribunal received large-scale complaints from victims about police inaction, participation and connivance.... Worse still, the agency of the police, according to the testimony ... has been working to positively sabotage the due process of law. The Tribunal recorded evidence that revealed that the police have simply not followed the legal procedure for the registration of crimes and the process of investigation.

Searing evidence about heinous crimes against women was also recorded.

The Concerned Citizens Tribunal also recorded evidence, through oral testimonies and written evidence about government policy and functioning that relates to the build up of atmosphere and tensions prior to February 27 in the State of Gujarat.

Apart from recording the testimonies of over 1,500 victims, the Tribunal heard the evidence presented by representatives of the media, academics, representatives of the Vishwa Samvad Kendra, and police and government officials whose names remain undisclosed in the course of its hearings. The Collector of Godhra, Jayanthi Ravi, the Police Official in charge of Panchmahals district, the Collector, Bharuch, Anju Sharma, the Commissioner of Police, Vadodara, D.D. Tuteja, and the Collector, Baroda, Bhagyesh Jha also met the Tribunal.

The Tribunal has examined scores of witnesses... In Ahmedabad ... evidence was recorded at many camps ... Many relief camps housing the Hindus were also visited. Besides, voluminous evidence has been placed on the record of the Tribunal that includes

statistics of losses, details of FIRs filed, fact-finding reports by independent teams and official documents.

On the visit of the Tribunal to Godhra, panel members visited the burned down coach of the Sabarmati Express as well as the locale of the crime. The Tribunal noted that the heat/fire raged at great intensity within the compartment killing hapless travellers, smelting rails and charring the insides of the coach completely. The Tribunal received evidence on the origin of the Godhra incident. The Tribunal, having recorded the evidence, will now examine and analyse the voluminous material placed on record in detail before the report is published by August 15, 2002.

Evidence has been received accusing the VHP and the Bajrang Dal of recruiting volunteers, training them in the use of arms and ammunition, collecting information about houses, shops and other business establishments of the minority community and effectively and fully using them in the violence.

Evidence has also been received that the attacks on the minority community were started simultaneously in all the places in the State on 28th February, 2002. It was reported to the Tribunal ... when approached by the public for help.... The police told them that they were under orders not to do anything.

Relief and Rehabilitation – Interim Recommendations

The Tribunal recommends that ... compensation should be seen not in terms of the meagre dole that is now on offer but be re-conceived in the nature of reparation for loss of life, dignity, destruction of economic activity and assaults on the freedom of faith, for the State.

The pathetic conditions in the Relief Camps need special attention from government agencies, Central and State, that have hitherto been paying both the camps and the internally displaced citizens housed within, less than lip service...

The Tribunal recommends that no Relief camp should be closed down by the State until the rehabilitation process is complete.

Moreover, the Tribunal states that the rehabilitation process must involve the purchase of land, reconstruction of homes, places and opportunities of work and restoration of religious places of worship and cultural shrines by the Government.

The Tribunal recommends that all the measures detailed by the National Human Rights Commission in its interim report be immediately implemented.

P.B. Sawant Hosbet Suresh
K.G. Kannabiran K.S. Subramanian

Muslim India 235, July 2002

A PLOT FROM THE DEVIL'S LAIR

A late-evening meeting convened by Modi on February 27 ensured mobs a free hand the next day

MANU JOSEPH, S. ANAND

What exactly happened on the night of February 27 in chief minister Narendra Modi's bungalow in Gandhinagar? All along there have been rumours of a late-evening meeting called by Modi on the day of the Godhra carnage in which he instructed senior police officials to allow 'people to vent their frustration' over the torching of two coaches of the Sabarmati Express during the VHP bandh the following day.

These rumours have now been confirmed. Information with *Outlook* shows that a senior minister from his own cabinet has blown the whistle on Modi. Last week, the minister deposed before the Concerned Citizens Tribunal headed by former Supreme Court judge Justice Krishna Iyer. Though the minister was not legally bound to appear before the tribunal, he chose to. The nine-member tribunal comprising former judges and other eminent citizens was in Gujarat to record evidence on who or what may have caused the Gujarat carnage.

Former Bombay High Court judge Justice Hosbet Suresh, who is on the Concerned Citizens panel and who also heard the deposition, confirms that the minister did depose before him. He told *Outlook*: 'Yes, a senior minister appeared before us for 35 to 40 minutes and talked to us about a few things that led to the Gujarat carnage. Among other things, the minister spoke about the meeting Modi called on the night of February 27.' The minister spoke to the tribunal on the condition that it would not name him in its final report. Another member of the panel has also confirmed the minister's deposition.

The minister told *Outlook* that in this deposition, he revealed that on the night of February 27, Modi summoned DGP K. Chakravarthy; commissioner of police, Ahmedabad, P. C. Pande; chief secretary G. Subbarao; home secretary Ashok Narayan; secretary to the home department K. Nityanand (a serving police officer of IG rank on deputation) and DGP (IB) G.S. Raigar. Also present were officers from the CM's office: P. K. Mishra, Anil Mukhim and A. K. Sharma. The minister also told *Outlook* that the meeting was held at the CM's bungalow.

The minister told the tribunal that in the two-hour meeting, Modi made it clear there would be justice for Godhra the next day, during the VHP-called bandh. He ordered that the police should not come in the way of 'the Hindu backlash'. At one point in this briefing, according to the minister's statement to the tribunal, DGP Chakravarthy vehemently protested. But he was harshly told by Modi to shut up and obey. Commissioner Pande, says the minister, would later show remorse in private but at that meeting didn't have the guts to object.

According to the deposition, it was a typical Modi meeting: more orders than discussion. By the end of it, the CM ensured that his top officials – especially the police – would stay out of the way of Sangh parivar men. The word was passed on to the mobs.

(According to a top IB official, on the morning of February 28, VHP and Bajrang Dal activists first visited some parts of Ahmedabad and created minor trouble just to check if the police did in fact look the other way. Once Modi's word was confirmed, the carnage began.)

The minister further told the tribunal that two cabinet ministers were present in the police control room on February 28. They took over the control room and personally supervised the proceedings. (The names of the ministers, Ashok Bhatt and I.K. Jadeja, have very often been taken by police sources but till date there is no FIR registered against them nor has any police official who was present in the control room then ever confirmed this allegation).

The minister went on to tell the tribunal that Modi was convinced that since he started the riots, he would be able to control the violence within a day or two. But the scale of the violence and the media backlash caught him by surprise. The more shocking aspect of the minister's testimony, says a tribunal member, was: 'Scores could have been settled in Godhra itself. Perhaps 100 people may have died there on the whole and that may have been

the end of it. But Modi brought the riots to Ahmedabad. He took the riots to the rest of the state.'

The riots were not born out of any ideology, according to the minister. It had a simple political background. The minister told *Outlook*, 'Modi was never a politician. He was a pracharak, a pracharak whose days were numbered because unlike others of his status, he was a man who liked the good life. He lived like a king. Not many liked him. Then one day, we were shocked by the BJP's defeat in the panchayat elections. And when the BJP lost the Sabarmati assembly seat and Sabarkanta parliamentary seat, we knew we would lose the general elections.'

That's when Modi stepped in. According to the minister, Modi told the BJP high command that after all, he was more presentable than Keshubhai Patel and he swore that in the next elections he would bring the BJP back to power. The minister added that when five and a half months into the job Modi realised his charm wasn't working, he decided religious polarisation was the only way to survive. As triggers go, Godhra was a strong one. But anything could have served as a trigger. There was talk of making an issue of a cow slaughter video the party had got but that plan was shelved.

Politics was also why the minister decided to squeal. As he himself told *Outlook*, it was the victimization of party workers by Modi that upset him the most. Said the minister: 'After taking all the credit for Hindu awareness in the state, when pressure mounted on him to cool down, he started balancing the sheet by arresting party workers.'

A 70-year-old BJP leader in Kalol taluka has been arrested on rape charges. As many as 3,369 people have been arrested so far, many of them grassroots party workers who are asking their bosses why they are being picked up. In all, 893 FIRs have been filed. One (crime number 195/2002) names VHP leader Jaideep Patel. BJP MLA Dr Maya Kodnani has been named along with other lower-level party workers in FIR 197/2002. Police Inspector Rawat, who had terrorized inmates of the Dariyakhan Gummat refugee camp and was the right hand man of civil supplies minister Bharat Barot, has been suspended, an event nobody would have believed in the pre-K. P. S. Gill era.

Discontent is mounting within Modi's cabinet. Revenue minister Haren Pandya had this to say to *Outlook*: 'No party is just one man. History points that out. We had a meeting recently of top BJP leaders. Modi was not invited but there was a huge crowd. There was not a mention of Modi by the speakers but it was still a very successful

BJP meet.'

In fact, no one expected the minister to turn up before the tribunal. It is not a constitutional body and it is not binding on anybody it summons to appear before it. But the minister walked into a building called Prashant in Ahmedabad, which houses a human rights organization. Justices Suresh and P.B. Sawant, senior advocate K.G. Kannabiran and retired police officer K.S. Subramanian were present.

When the tribunal releases its findings in mid-August, there will be many things to make a man who is today called Chhota Sardar feel very small. But as Justice Suresh says, 'Our report will only give the public the right to information. They'll know what really happened. But that doesn't mean the guilty will be punished.' History agrees.

Outlook, 3 June 2002

RELIEF AND REHABILITATION OF RIOT VICTIMS

Government of Gujarat's Report (as on 6 June, 2002)

Progress of Rehabilitation for Riot Victims

Item	No. of cases reported	No. of cases paid	Amount (Rs. in crores)
Ex-gratia payment to next-of-kin of those killed	952	708	10.00
Cash compensation for injuries (individuals)	1,864	1,439	0.69
Cash doles to individuals	—	40,256	0.66
Compensation for loss of household kits (families)	NA	27,787	3.70

Ration Distribution

No. of relief camps	Inmates	Cash assistance (Rs. in lakhs)	Ration (in qntls)
32	37,214	433.58	52,495.61

Cash Assistance for Loss of Earning Assets

No. of cases surveyed	Estimated damage (Rs. in lakhs)	No. of cases paid	Amount disbursed (Rs. in crores)	Average
15856	8355.66	9374	6.09	6,492

Housing Assistance

Item	No. of cases surveyed	Estimated damage (Rs. in crores)	No. of cases paid	Amount paid (Rs. in crores)	Average
Partially damaged houses	19,291	39.10	15,661	13.94	8,904
Fully damaged houses	5,616	25.89	4,593	7.15	15,573
Total	24,907	64.99	20,254	21.10	10,416

Foodgrain to BPL Families

No. of families identified	No. of families assisted	Foodgrain distributed (in qntls)
19,02,745	17,73,969	1,81,775.54

Assistance to Industries/Shops/Hotels

Item	Industries	Units Shops/Show-rooms/Godowns	Hotels
Applications received	630	5528	183
Cases surveyed	528	2760	164
Damage assessed (Rs. in crores)	27.31	47.87	11.38
Units assisted	NIL	NIL	NIL

Rehabilitation of Small Business

No. of affected units	Applications sponsored	Sanctioned	Amount sanctioned
4000	772	28	117.52

Bank Loan

No. of units surveyed	No. of units recommended to banks	Cases sanctioned	Amount (in crores)	Disbursed cases	Amount (in crores)
3452	2110	132	3.51	34	1.90

Rehabilitation of Orphans and Widows

Orphans identified	Widows identified	No. of pensions granted
28 (Disabled 150)	955 (Aged/disabled 163)	555

The Government of Gujarat has invited SEWA ... to design a specific package for rehabilitation of widows and orphans. A proposal to serve approximately 400 widows and 225 orphans has been approved by Government of India. The first stage of survey has identified 221 ... widows...

[Based on Gujarat Relief Commissioner's Note]

Muslim India 235, July 2002

'GUJARAT NO REFLECTION ON HINDUTVA, IT'S A RIOT, PLAIN AND SIMPLE'

GEORGE FERNANDES **interviewed by** AJIT KUMAR JHA

At one time -- all Fernandes's profiles begin with at one time – he was the rebel's pin-up boy. Today, the poster's curled at the edges. The man who led the historic 1974 railway men's strike, a water-

shed in terms of bringing down Indira Gandhi by 1977, is today lurching from one scandal-stop to another. The latest, his apparent cosying up to the Sangh. Although he was the first leader to visit Gujarat after the riots, and Orissa after the murder of Graham Staines, in both the cases he defended rather than admonished the Parivar. His continued protection of the Narendra Modi administration in Gujarat forced the resignation of his party's spokesperson Shambhu Srivastava. Does he want to be the Prime Minister backed by the Sangh? I don't even know where I will be tomorrow, Fernandes smiles. Excerpts from an interview with Ajit Kumar Jha:

Let's begin with your speech in the Lok Sabha – your remark that women being raped, pregnant women having their stomachs cut, isn't something new. Even Home Minister Advani snubbed you. Why did you say that?

The Home Minister referred to my talking in the larger context. I said if governments can prevent a riot, what about the 15,000 plus riots in the country in the past. Take for instance, 1984, where kids were burnt alive, women raped and people slaughtered. I was reacting to the censure motion by the Congress and the Marxists who argued as if this is the first riot in the country.

Will you give this explanation to a woman at the Shah Alam relief camp who has been raped during the riots?

No, I will never do that. Why should I?

The Opposition says this riot is different from others. The state is an accomplice here, there is hard evidence for that. Chief Minister Narendra Modi didn't even go to the relief camps until the Prime Minister went there. What did you tell Modi?

I spoke to Modi several times, told him to go and visit the camps and meet the people. During my Gujarat visit, when some people shouted *Modi murdabad*, I reminded them: *'Beete kal ki baton ko choro, aage ki socho.'* (Forget the past, think of the future). It's hard to believe that even those who suffered in the riots listened and soon began chanting *Narendra Modi zindabad*. This happened in three places.

Why are you bent on protecting Modi?

Does change of one person change a situation dramatically? Is a mere regime that important in terms of its social consequences?

I'm surprised you are asking this. You were the one who in 1977 argued Indira hatao, desh bachao. Have you ever thought of advising the Prime Minister on a change of regime in Gujarat?

Well, the PM himself made a statement that he was considering a change of regime in Gujarat. Only when it dawned on him that it might have a worse effect in terms of violence that he changed his mind once again.

Have you advised the PM to drop Modi? Or are you defending Modi just as you defended the Sangh Parivar when Graham Staines was murdered in Orissa?

Now that you mention the murder of Graham Staines, remember, I was the first one to go to the spot. I met the DM and the SP, then went to the local church, met the Christian population of the area. Believe me, every question that I put to them collectively or individually, none of them blamed any outfit of the Sangh Parivar for the murder. The Wadhwa commission was appointed, which vindicated my statement. The truth is that I did not try to protect anybody. Whosoever committed the act, it was one of total madness, indeed a very heinous act. I hope they will finally identify the culprit and punish him.

In which capacity did you go to Gujarat: as the country's Defence Minister, as the NDA convenor or as a Samata leader?

As the Defence Minister I was not required to go but wherever the Army goes I go as well. Whether it is Siachen or Kargil, the North-East, Rajasthan or Punjab border, wherever the Army is deployed I go. After speaking to the Army in two batches I went to the police headquarters and the control room. I faced some difficult situations, my car was stoned, and I was caught in between two warring groups. I had gone earlier to Gujarat in 1969 in a similar situation. But this was more difficult.

In 1975, Jayaprakash Narayan, your political guru, started the Nav Nirman movement against a corrupt regime in Gujarat. If JP were alive today wouldn't he ask for Modi's dismissal?

I quoted JP during my peace march in Gujarat, both to the youth and the old who had participated in the JP movement. I reminded them of JP having said: *Mein andhere me tha, Gujarat ke naujawanon ne mujhe roshni dekhayee.* But remember, JP wouldn't have been in the government.

So are you saying that if you were not in the government you could have asked for the dismissal of Modi?

A government has to act, it cannot simply run by making recommendations. All governments have their limitations.

Do you prefer to be in the government and live by these limitations rather than be a mass leader as in the past and make a difference?

I am in the government. I am bound by the code of conduct of the NDA government.

Why did you force spokesman Shambhu Srivastava to resign when he asked for Modi's dismissal?

Shambhu Srivastava was not forced to resign. He made a statement – Narendra Modi should resign – which had not been discussed inside the party. The party, therefore, took the decision that he had to go. You see, any kind of policy statement can only be made as a collective decision.

The issue is whether the Modi government has not directly or indirectly sponsored the attack on minorities?

The resignation of the Modi government cannot resolve the situation. The Gujarat government has to and must act, not run away from the situation. The local police and intelligence networks have to come into play.

In 1999, you recommended the dismissal of the Rabri Devi government in Bihar when it failed to protect the massacre of Dalits by the Ranvir Sena. What's happened now?

Bihar is no way comparable to riot-torn Gujarat. While in Gujarat communities fight each other, in Bihar, corruption has destroyed the state. The human development report says that Bihar has gone back ten years. It is rapidly disintegrating.

Isn't the state disintegrating in Gujarat, at least for Muslims?

In Gujarat, the Hindus and the Muslims must reconcile the situation and live together. If they do not, then the hatred will go beyond the borders of Gujarat ....

...All NDA allies except Samata have distanced themselves from the BJP on the Modi issue. Samata has become the sole protector of

the Sangh Parivar's Hindutva agenda. Are you aiming to be the PM with the help of the Sangh?

What is happening in Gujarat is no reflection of Hindutva. If Godhra had not taken place, Gujarat would not have erupted. When we analyse action-reactions one has to be careful. It was a riot, plain and simple. It has acquired a Hindu-Muslim dimension. Finally I am not trying to protect anyone. I have no ulterior aim of becoming PM. I don't even know where I will be tomorrow.

The Indian Express, 12 May 2002

TERROR WITHIN

UMA BHARATI interviewed by SMITA GUPTA

Union minister for youth and sports Uma Bharati was fielded by the Bharatiya Janata Party (BJP) to defend Gujarat chief minister Narendra Modi during the recent Lok Sabha debate. Bharati, one of the BJP's most effective votaries of Hindutva, tells Smita Gupta the bitterness created by the communal violence in Gujarat poses a bigger challenge to the government than even Pakistan-inspired terrorism:

What's been the political fallout of Gujarat?

Of the many incidents of Hindu-Muslim violence after Independence, none has created as much bitterness. Worse than the negative international reaction is the domestic impact of the communal divide created by anti-social Hindu and Muslim elements employed by religious extremists. Hindus must understand they cannot throw Muslims out of the country; Muslims must not hanker for a separate country; and a way must be devised for Hindus and Muslims to live together; Gujarat has affected the entire nation. Today, before we celebrate Holi or Id, the police has to be called out to keep peace.

What's the solution?

Politicians should rise above party interests, the media must exercise restraint and religious leaders of both communities must find a way of bridging the gap. Hindus must stop thinking of Muslims as

invaders, as mlech; Muslims must stop referring to non-Muslims as kafirs.

Who are the religious extremists?
They're in all parties, including BJP.

Were they responsible for Gujarat?
What happened in Gujarat is a reflection of the British policy of divide and rule which continued after 1947, culminating in events like the amendment to the Muslim Personal Law Bill.

Could Gujarat have been handled better?
The speed with which the relief camps were set up and arrests were made was commendable. But when it came to preventing violence from spreading and restoring communal harmony, the government failed because of lack of public cooperation.

Are the relief camps running well?
Why are people so concerned about relief camps in Gujarat? They didn't show the same concern when Hindus were made to flee Kashmir and ended up in relief camps.

Your government has been in power for almost three years; Your ally, the National Conference, rules Jammu and Kashmir. Why don't you improve the condition of the Pandits?
Their condition now is very good. But when they were in bad shape, no one wrote about it. Such insensitivity angers Hindus.

So the conditions in the Gujarat relief camps are good?
They are OK.

Everything is fine in Gujarat?
We are ashamed of what happened. But it shouldn't be exaggerated.

People were shocked because the state government encouraged Hindus to target Muslims.
I don't agree. It acted impartially.

The prime minister asked Narendra Modi to practise rajdharma?
He was responding to a journalist's question. He did not say it on his own; it does not have the significance being attributed to it.

What is a more serious threat – terrorism or the communal divide?

Pak-sponsored terrorism is a big challenge, but the communal divide is a bigger challenge. We can tackle terrorism with better intelligence, diplomacy and the army. But to end the bitterness between Hindus and Muslims, police protection is not enough.

After Gujarat, India needs to work harder to get international support to deal with Kaluchak-type incidents.

Pakistan has not been strengthened because of Gujarat.

But our case has become weaker.

The inhuman rape and murders of our mothers and sisters and the brutal slaying of children has destroyed the image of Hindus being peace-loving and tolerant. But I don't think the international community will link Gujarat with Kaluchak.

How will the government bridge the gap?

The government's responsibility is to rule impartially, provide facilities, education and security for all its citizens. What it cannot do – which politicians must attempt – is to unite the communities. This must be done by politicians, religious leaders and the media.

Aren't Vishwa Hindu Parishad leaders like Praveen Togadia obstacles to this objective?

Yes, people like Togadia should not talk the way they do. At this moment, we need chemicals that will bind the communities.

Shouldn't both Muslim fundamentalist groups and the VHP be banned to help the healing process?

No, there is need for a national debate between them, a realization that they have to live together.

There have been many riots in India, but never have we seen such barbarism.

The rise of intolerance among Hindu youth and the fact that they are unapologetic about such inhuman acts is a cause of great concern. That such elements – even if small in number – exist among Hindus is terrible. They must be destroyed from the roots.

What is the root of this barbarism?
That would get us into a long complicated debate.

Why did RSS leader K. Sudershan say Muslims should live on Hindus' good will?
Both communities must live on the good will of the other – that's what he meant. The real issue is: We can't continue the way we are – something needs to be done urgently.

The Times of India, 29 May 2002

IX. OPEN LETTER

FALEIRO'S LETTER TO ADVANI

EDUARDO FALEIRO

Following is the text of the letter Mr Eduardo Faleiro, former minister of state for external affairs, sent to the Home Minister Mr L K Advani on March 15, 2002

Dear Home Minister,
I visited Gujarat as a member of the Congress delegation. I have since been receiving messages from different parts of that State that in spite of assurances and protestations from the Union and State Governments, Gujarat continues to burn. Yesterday, Nitin Parmar, a nephew of our colleague in the Lok Sabha Pravin Rashtrapal, was stabbed to death in the Shahpur locality whilst his father was admitted to V.S. Hospital, Ahmedabad for treatment of sword injuries. Eight others were also hospitalised, 4 with stab injuries, one injured in private firing and 3 women with burn injuries. I have also received information that some extremist organizations have misguided the Adivasis of Vadodara and some other areas and provided them with cash, liquor and weapons and sent them in thousands to attack defenceless people. 'In Panvad taluka the adivasis informed the police in advance that they would attack yet the police did not demand the deployment of the SRP or the army and the shops of the Muslims were looted in front of the police. The vehicles parked in front of the police station were also burnt without any fear. Every day some village or the other is being looted and burnt whilst the local administration sends messages

that the situation is calm and under control. Most of the Muslims of the surrounding villages have taken shelter in Chhota Udepur. You are kindly requested to send an effective contingent of the army so that the remaining Muslims can live peacefully.' These are extracts from a fax message received by me on March 13 from the residents of some areas in Vadodara district and I am enclosing the same for your perusal. Defenceless people of all the different communities are being attacked and are dying in Gujarat. To avoid further loss of innocent life, army protection should be provided in all sensitive areas. The army across Gujarat has in fact been pulled back to the barracks though the police is unable to control the situation.

2. I am given to understand that there are about 50,000 displaced persons in several relief camps in Ahmedabad. Another estimated 25-30 thousand persons have been displaced in other towns and regions of the State. The foodstuffs being provided by the State Government to these camps are unfit for human consumption. The State Government, having allowed life and property to be systematically destroyed, has now abdicated its constitutional duty to provide relief to the victims. In such circumstances Government of India should step in and provide immediate relief to these camps in the form of milk, foodgrains of adequate quality, medicines and medical assistance.

3. The K.G. Shah Commission should be scrapped. Its verdict will lack credibility. Government should request the Chief Justice of India to appoint a sitting Judge of the Supreme Court or of any High Court outside Gujarat to hold the inquiry into the incident at Godhra and subsequent events.

4. The role of the police in Gujarat has been scandalous. Eye witnesses say that our former colleague in Parliament Ehsan Jaffri contacted the Police several times on March 1, the day of his death, and that he expected that the Police Commissioner C.P. Pande would protect his life and his family but that was not to be. The Gujarat police cannot be trusted with a fair and impartial investigation, hence I urge that the tasks of criminal investigation relating to the recent violence in Gujarat should be handed over to the CBI.

5. A report in the Hindi newspaper *Jan Morcha* published from Ayodhya by Sheetla Prasad and dated 24.2.2002 i.e., 3 days before the massacre at Godhra is captioned 'Bajrang Dal Activists on Sabarmati Express beat up Muslims, forcing them to shout Jai Shri Ram Slogans' (English translation). Similar reports were also

published in the international press including the *Washington Post*, *Chicago Tribune* and *New York Times*. Yet the intelligence agencies of the Union and state governments remained inactive and as a result the gruesome incidents took place. May I request you to look into this matter and take necessary steps to fix responsibilities?

6. A pamphlet in Gujarat is being widely circulated across the State calling for total economic boycott of Muslims including Muslim shops, films in which Muslims act, any form of employment for Muslims etc. Inciting such communal hatred is an offence under the Indian Penal Code. Government should take immediate action to apprehend the culprits. I am enclosing a copy of the pamphlet.

7. In a tape recorded interview to Rediff.com Prof. Keshav Ram Kashiram Shastri, the chairman of the Gujarat unit of the Vishwa Hindu Parishad stated that the shops in Ahmedabad were looted on the basis of a list prepared by the VHP in advance. 'In the morning we sat down and prepared the list', he revealed. He added that the situation could get aggravated and bigger riots were possible. 'There will be war. So much poison has spread that it is difficult to contain it now,' he said.

What steps has Government taken or proposes to take in the context of the disclosures made by Prof. K.K. Shastri?

Some of neighbouring countries, where religious fundamentalism flourished for more than a decade, often with State patronage, are now striving to abandon this noxious path. It would be ironical and most unfortunate if quite the opposite happens in India. I urge you to deal resolutely with all forms of religious extremism in an even-handed rather than in a selective manner, so that peace, harmony and the rule of law prevail through the length and breath of the nation.

With personal regards,
Eduardo Faleiro

The Milli Gazette, 1–15 April, 2002

X. MEMORANDA

MEMORANDUM TO THE PRESIDENT, PRIME MINISTER OF INDIA, NDA ALLIES, LEADER OF THE OPPOSITION PARTY, AND MEMBERS OF PARLIAMENT AND THE HUMAN RIGHTS COMMISSION (MARCH 17, 2002)

PEOPLES' UNION FOR CIVIL LIBERTIES (PUCL), BARODA

We, the members of the PUCL Baroda, want to bring to your attention the atmosphere of terror and fright which members of the minority community have been experiencing both during the day and at night since the Godhra massacre. The situation has aggravated especially after the *shila daan* on March 15, 2002.

On March 15 the police despite its own restrictions allowed celebrations in 42 temples in the city and the situation tensed up.

Since then every day and during the night elements of extremist Hindu organisations (the VHP, Bajrang Dal and the RSS) continue to let loose a reign of terror and immobility among the Muslim community. Today is the 18th day of this atmosphere of fear. While the Muslim community, and especially Muslim youth who have been held back by their elders, has been restrained by and large in the face of attacks and insults, they now seem to be nearing the end

of their tether. In order to avoid any backlash we wish that precautionary measures are imposed to end this madness.

The following are some of the incidents that have occurred in the last 24 hours:

1) Today in the afternoon, 32 persons of the minority community being accompanied by two police vehicles (Police Inspector Vanecha was in the police team among others) to retrieve their belongings from their homes were attacked by a mob of at least 2000 in the Makarpura area of Baroda. Two persons of the minority community died on the spot, four are lying in a critical condition in the ICU in the Medical College Hospital and 18 others are injured. The names of some of the attacking members are Raju More, Hira Lal Lotan Patil, Dilip Sinh Jati Sinh Raj, and one Sharma from the IAF. Had the accompanying police used force this tragedy could have been avoided.

2) On March 15, in front of the Pani Gate Navapura Naka Police Chowki three boys burnt a house belonging to the minority community while six policemen stood watching. Similarly in front of the Mandvi Police Control Room, one shop was burnt without any police action and on Shastri Baug Road, very close to the police point, Syed Studio was burnt.

3) In Bahar Colony on Ajwa Road, which is a Muslim Colony, tension has been reigning since the last 3 days when a jhoppad patti was set on fire. This morning two Muslim factories in Sardar Estate, both mainly employing Hindu employees, were set on fire. From 10 a.m. onwards the police were being called. The police dismissed these calls as rumours. Finally the police arrived at 1 p.m. when a group of men were returning after *namaaz*. The police fired into the gathering. Two young men were injured in the police firing, one died later. The women of the minority community were most upset and angry at the police's inability to manage the mob. They wanted to request the police to place a point in their colony. The police refused to listen to them and in fact did a *laathi* charge on them to drive them into their homes.

4) In Piramitra area of Dandiya Bazar a Muslim house was burnt day before yesterday and this morning there was a period of intense mutual stone-throwing. RSS elements have sworn revenge and a fight to the finish by tonight. The police has been deployed in the area but are not proving to be very effective.

5) At Rain Basera, Machchipith, under Karelibag police station, several women were assaulted by the police during 'combing opera-

tions.' Four policemen entered the basti at around 3.00 p.m. on 16 March 2002. They indiscriminately beat and threatened women and children, beat and arrested men, and damaged property. All during this time, they let loose the coarsest abuse, with explicit sexual and religious connotations

In particular

Sabiraben Ahmedbhai Shaikh, aged 45, was beaten so badly that her left arm was swollen and bruised

Faridabanu Bachchubhai Shaikh, aged 30, Hajirabibi Gulamhusain Dhobi, aged 32, and Hamidabibi Ahmedkhan Pathan were kicked on the legs.

Hajirabibi was also kicked on the chest and Faridabanu in the pubic region.

Mehrunnissa, aged 18, was threatened with a sword (apparently confiscated), the point of the sword touching her abdomen.

Sultana Razzakbhai, aged 18, was threatened with a rifle which was pointed and rested on her chest

In addition, at least 4 men were beaten badly, and 11 arrested.

6) In Roshan Nagar, Ashapuri, 21 Muslims were arrested from their homes on 28 February 2002 on a complaint that loudspeakers were used at the local madrassa. They were taken to Fatehgunj police station. At the lockup, they were mercilessly beaten, so much so that welt and other marks were visible more than a week after the incident.

Two (Ali Nabi Bholey Khan, aged 40, and Mohammed Umar Abdul Latif, aged 35), were beaten so badly that they needed to be taken to Jail Hospital.

In contrast to Hindus arrested the next day who were charged with Section 188, the Muslims were charged under sections 137, 143, 144, 153, and 188. Moreover they were released on bail only on the 5th March 2002.

They were not produced at the Circuit House, but were shut up in the police van outside the Circuit House before being remanded to Central Jail. Apart from beatings, they were not allowed to urinate, when they asked for water, were told to drink urine. Bearded men, including Maulana Mohhamed Yusuf, had their beards pulled and police threatened to cut them off

In the face of all the experiences cited above, and many such others, we wish to state that neither the administration nor the po-

lice have been found to be competent to deal with the situation. Muslim properties including dargahs and mosques have been burnt and/or damaged extensively with impunity. In fact, we have evidence that the police have been taking orders from representatives of the ruling party. We fear that the situation is not very different in Ahmedabad and the rest of the state.

In this situation we demand that

1) the state of Gujarat be handed over to the army immediately. Increased and effective use of Army is required in the state.

2) the present government be dismissed and Governor's rule be imposed in Gujarat

3) an enquiry be conducted into the role of the police and the administration and guilty officers be suspended immediately.

4) normalcy be restored in the state as soon as possible by re-opening schools, banks and shops so that the confidence of all sections of society is restored. State transport services should also be restored and the situation in the villages and tribal areas should be made normal.

We also demand that the same set of rules be made operational for all sections of society. Licenses of pistols held by some Muslim lawyers in Baroda have been confiscated. We demand that licenses of pistols held by party office bearers, corporators and VHP office bearers also be withdrawn. (We would be willing to furnish names of some of these individuals if need be.)

Further, the role of the media needs to be regulated. While in the national electronic media there is a virtual blackout on what is happening in Gujarat today, the local electronic media has been carrying provocative stories and interviews which have resulted in inciting communal sentiments further.

The members of the minority community who are languishing in relief camps in various parts of the state have no idea of what the future holds for them. They dread the idea of going back to their places of residence without assurance of protection and safety. We demand that a rehabilitation policy be formulated taking into considerations their viewpoints and this policy be implemented at the earliest to restore confidence.

We urge that this memorandum be considered seriously and immediate appropriate action be taken to prevent further loss of life, trust and property in our state. Gujarat and much of the people of India stand to lose by the activities of a State in which significant

sections cannot live in peace and harmony. We look forward to information on your action to this memorandum.

KIRIT BHATT, MANZUR SALERI, ISAAQ CHINWALA, TAPAN DAS, DEEPTHA ACHAR, SANTOSH DASH, BHARAT DESAI. JOHANNES MANJREKAR, RAJ KUMAR HANS, JAGDISH PATEL, N. RAJARAM, IFTIKHAR AHMED, B. SUDHEER, BIPIN JANI (PUCL), TRUPTI SHAH, DEEPA GHELANI (Sahiyar Stree Sangathan) MICHAEL MAZGAONKAR, ANAND MOSES (Paryavaran Suraksha Samiti), SWATI DESAI (NAPM Gujarat), THAKORE SHAH, NARPAT SINH SOLANKI (Vadodara Kamdaar Union), MAYA VALECHA, ROHIT PRAJAPATI (Inquilabi Communist Sangathan), NANDINI MANJREKAR, AMITA VERMA (Gujarat Forum for Women's Studies), PREETI PATEL, GEETA RATHWA, SHOBHA SHAH (Shishu Milap), JAGDISH SHAH (Vadodara Shanti Abhiyan and Gujarat Sarvodaya Mandal), NIMISHA SHAH (Olakh), S. SRINIVASAN, RENU KHANNA (SAHAJ),.

(PUCL Secretary, 13 Pratap Kunj Society, Near Jeevan Bharti Crossing, Kareli Baug, Vadodara 390018.)

MEMORANDUM TO THE NHRC

MINORITIES COUNCIL & IOS COMMITTEE ON HUMAN RIGHTS

27 March 2002

Chairman
National Human Rights Commission
Sardar Patel Bhavan
Sansad Marg
New Delhi-110001

Subject: *The Role of the Law-Enforcement Machinery During Communal Riots*
Ref: (i) Our letter of 1/8/2000 addressed to the Chairman on 'NHRC's concern on attacks against Christians & suo motu action on it.' (ii) Our representation dated April 3, 2001 on the subject registered under No 41209/24/2000-2001 FC & subsequent correspondence and telephonic talk.

Dear Mr. Chairman,

1. We once again express our appreciation of the NHRC's taking suo motu action and not only calling for an immediate report from the Government of Gujarat on the handling of the communal disturbance in Gujarat since 27/28 February 2001 but also your visiting the riot affected towns for on the spot inquiry. We welcome your appraisal of the devastation as one caused by inaction and inefficiency of the Government i.e. a result of failure of governance.

2. In our representation of 4 April 2001 on the Role of the Police & Paramilitary Forces During Communal Riots we had raised the issues of the systemic and behavioural causes of such persistently partisan role of the district administration and the police working under political direction during most major riots since the Ahmedabad riots of 1969. Official and NGO inquiries and investigative reporting by eminent journalists have noted such partisan role of the police including those by the Justice Madon Commission, (1970) National Police Commission (1981) Studies by N.C. Saxena (1983) & V. N. Rai (1996) and finally by Justice Srikrishna Commission on Mumbai riots (1992-93). (See Report Section II)

3. Such partisan role of the law-enforcement agencies has been generally attributed to the following four factors:

i. The culture of governance making police function as a subordinate body carrying out orders & directions of the political executive

ii. Deeply entrenched communal prejudices in the minds of a section of officials and police personnel

iii. Social composition of the police and other wings of law-enforcement and criminal justice system, wherein minorities are persistently underrepresented

iv. Lack of training in humane and effective mob control by the police.

We reiterate that the following measures suggested by us in our representation of 4 April 2001 be considered to make law-enforcement impartial, effective and humane.

a. reorganise the police, making it function independently of political direction and interference for impartial law-enforcement

b. provision of component of human rights and eradication of prejudices and humane riot control methods in the training programme of the police and other law-enforcement agencies

c. make the social composition of all law-enforcement agencies diverse, wherein at least 25% of minority presence is ensured

d. change the State's riot control scheme discouraging use of firepower at the initial stage for deterrence and provide training in and equipment for non-lethal methods of mob control

e. establish a statutory Community Relations Commission for prevention and management of communal conflicts, in liaison with the civil society

f. promptly bring to justice all rioters and erring officials and police-personnel

g. end impunity enjoyed by perpetrators of violence against minorities

h. make provision under law for restitution of rights and compensation to sufferers/victims of riots.

The rationale and modalities for taking these measures have been discussed in the NCM Report on *Communal Riots: Prevention & Control* (1999) that was submitted to you. (Copy Enclosed)

1. Apart from the long terms systemic reforms, in view of the gravity of the nature of failure of governance in Gujarat in February–March 2002 resulting in loss, injury and damage of life, limb, shelter, property, business, places of worship, honour, dislocation, dispossession and other social losses suffered by hundreds of thousands of people in Ahmedabad and other towns in Gujarat, and in view of the fact that the innocent citizens of Gujarat and some other States have been periodically subjected to such violence, there is an urgent need for the following steps:

A. A Central legislation regarding Communal riots and other social disorders, establishing an institutional mechanism for ensuring impartial and effective preventive and control measures and speedy justice and adequate compensation under law for all losses, injuries and damages suffered by victims.

B. A separate central law may provide for appointment of an independent Inquiry Commission/Tribunal to fix responsibility of officials, police personnel and political executive whose acts and commissions have resulted in the losses, injuries and damages suffered by innocent persons. Restitution of all rights and reparation to be made and compensation to be paid to victims by

those held responsible for failure to impartially act in time. The findings of the Tribunal to be appointed by an independent panel, shall be binding.

The rationale for such legislation is provided by Justice Anil Dev Singh's judgment of 5 July 1996, on Civil Writ Petition No 1429, and by section 11 of the *UN Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power*, 1985. (See Section IV of the Report)

C. On several occasions responsible persons and organisations have termed the massacres like the present one in Gujarat and in Delhi in 1984, and Hashimpura (Meerut) in May 1987 when PAC personnel killed more than 40 Muslim youth, as genocidal killings. An eminent jurist like K.G. Kannabiran, National President PUCL, has termed the present carnage in Gujarat as genocide (*The Hindu*, New Delhi, 25 March 2002).

It is a grave lapse on the part of the Govt. of India not to have enacted any law till date in compliance with Article V of the International Convention on the Prevention and Punishment of the Crime of Genocide, 1948.

Article II of the Convention defines as genocide any of the following acts.....

a. Killing members of the group;
b. Causing serious bodily or mental harm to members of the group;
c. Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part.

In view of the repeated experience of genocidal killings of sections of religious minorities in India, it is our view that a law on Prevention and Punishment of the Crime of Genocide be enacted, which may be made applicable retrospectively as according to Nuremberg Principles crimes against humanity and genocidal killings cannot be treated as time barred.

We therefore urge the Commission to take all necessary steps including seeking direction from the Supreme Court and making statutory recommendation to the Government of India to (i) appoint a Tribunal for fixing responsibility for acts and omissions of officials and political executive in the Gujarat riots of Feb - March 2002 and for making persons found derelict to make restitution,

reparation and compensation for all sufferers of riots (ii) enact a law on Prevention and Punishment of the Crime of Genocide (iii) enact a comprehensive law on riots and disorders in the light of recommendations of the NPC, the NHRC & the NCM.

Meanwhile the Commission may consider appointing a Commission of Inquiry comprising eminent senior retired judges, jurists and social workers from NGOs like PUCL & PUDR (New Delhi) & CSSS, (Mumbai) and People's Union For Human Rights. (Mumbai)

Our Committee on Human rights and the Minorities Council will be happy to help the Commission in organising any consultation on the subject.

Yours sincerely

Iqbal A. Ansari
20 Jaswant Apartments
Okhla. New Delhi - 25

THE STATE MUST ENSURE REDRESS FOR THE VICTIMS

A memorandum to the Government of Gujarat on its duties in the aftermath of the violence

AMNESTY INTERNATIONAL

At least 700 people have been killed in the Indian state of Gujarat since violence and rioting broke out on 28 February 2002. Several non-governmental organizations, however, estimate that the actual number of the victims might be over 2000. On 27 February, 58 Hindus were killed in the town of Godhra in an attack on a train. Mass killings followed the incident in large parts of the state, where the majority of the victims belonged to the Muslim community.

The violence is reported to have reached levels of brutality unprecedented in the state. Some form of organisation and planning of the crimes committed is repeatedly suggested by survivors, eyewitnesses, relief workers, political commentators and members of extremist Hindu organizations themselves. Reports, including the statements of the Chair of the National Human Rights Commission,

suggest that both the state administration and the police have taken insufficient action to protect the population of the state during the massacres, and in some cases may have even connived with the attackers.

Although the violence started to abate on 3 March, after the army was called in, isolated attacks and killings continue throughout the state to date.

Amnesty International reminds all the relevant government authorities in Gujarat that the violence, as well as the circumstances in which it happened, give rise to precise responsibilities for the state with respect to redress for the victims. The organization believes that two areas of concern need to be addressed by the government authorities as a matter of urgency, namely the need to deliver justice to the victims and the protection of the rights of the people displaced by the violence throughout the state.

1. *The need for justice*

Amnesty International believes that if the crimes carried out during the violence in Gujarat are not thoroughly investigated and those suspected of being responsible, together with their accomplices, brought to justice, the circumstances under which they were able to carry out those crimes may remain unchanged and they and others may remain free to repeat them.

In several cases in the past the investigation and prosecution of similar episodes of mass violence have not shown to be considered as a priority by the central or state governments, especially when a section of the government authorities was suspected to have connived with the attackers. Amnesty International believes that the expectation by the perpetrators and their accomplices not to be questioned on their role during the violence may have been one of the causes of the open, systematic and brutal nature of the violence in Gujarat. The Constitution of India clearly sets out in Article 32 the right of victims and their families to have access to remedies for the enforcement of fundamental rights when they appear to have been violated, as in the case of the alleged abuses committed during the violence in Gujarat. The Constitution is equally clear, in Article 14, about the fact that 'the State shall not deny to any person equality before the law or equal protection of the laws within the territory of India.' This suggests that all victims of abuses have the right to seek justice, even when government authorities and police might share responsibility for the perpetration of those crimes.

The obligation of governments to conduct prompt, thorough, effective and impartial investigations into such killings is also established in international human rights standards, including Article 2(3) of the International Convention on Civil and Political Rights, ratified by India in 1979, and the United Nations Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions.

Amnesty International believes that any official investigation or enquiry into the recent violence in Gujarat should have the following characteristics:

- It should be impartial and not unduly lenient towards the security forces or other state agencies.
- It should be effective, should obtain and consider all relevant evidence and should reach conclusions that are as firm as evidence permits.
- It should be prompt. Undue delays will give rise to fears that the investigation is being blocked or evidence tampered with. A time limit should be fixed for the completion of the investigation.
- The methods of the investigation should be made public in advance and described in the report of the investigation.
- Advance notices should be widely publicised inviting members of the public with relevant evidence to submit it to the investigation.
- Relatives of the victims and anyone else who has relevant information should have an opportunity to present it.
- Relatives should have access to all information relevant to the investigation.
- Anyone called to give testimony should at the outset be informed of the subject and purpose of the inquiry and of their right to legal counsel and other legal rights.
- There should be an opportunity for the effective questioning of witnesses.
- Complainants, witnesses, lawyers and others involved in the investigation should be protected from intimidation and reprisals.
- Officials suspected of responsibility for the crimes investigated should be suspended from active duty during the investigation, as a precaution against the possibility of their perpetrating further such acts and to ensure the integrity of the investigation. They should be removed from any position of control or power over relatives, witnesses and others involved in the investigation

while the investigation is in progress. These measures should be without prejudice to the outcome of the investigation, to the careers of the officers concerned or to any eventual judgment regarding their suspected involvement.

- The report of the investigation, or at least the findings and recommendations, should be made public as soon as the investigation is completed. It should state the evidence on which the findings and recommendations are based.
- Once the report has been submitted, the government should respond promptly, stating publicly what steps will be taken as a result. The findings should be acted on. Amnesty International believes that the Government of Gujarat should immediately and publicly state its commitment to act upon the recommendation of any official investigation into the Gujarat violence.
- The pendency of a comprehensive investigation on the violence in Gujarat should not be presented by any executive or judicial officer as a reason to suspend or delay the prosecution in court of individuals having been accused of being involved in the abuses.
- The body carrying out the investigation into the violence in Gujarat should have several characteristics:
- It should be independent and separate from those allegedly responsible, or allegedly sharing any form of responsibility with them. Its members and staff, including the investigative staff, should not be associated with any person, governmental entity or political party potentially implicated in the matter.
- It should have the necessary powers and resources to carry out its tasks, such as laboratory facilities, clerical equipment such as typewriters and computers and resources to travel and to hold hearings. It should be able to use the services of legal counsel and experts in such fields as ballistics, pathology and forensic science. It should have adequate investigative, administrative and clerical staff.
- Those carrying out the investigation and their staff should be professionally competent for the required tasks.
- They should be protected against intimidation and reprisals.

The terms of reference of any official investigation into the recent violence in Gujarat should include:

- Both the initial incident which occurred in Godhra and the violence which followed it throughout the state.
- The circumstances and causes of the whole wave of violence in the state.

- The patterns of the violence and abuses as well as individual responsibilities.
- Whether any individual, group or institution, including government authorities and elected representatives, is responsible for fomenting the violence or directly or indirectly provoking it.
- Whether any individual, group or institution, including government authorities and elected representatives, is responsible for the offence of abetting, instigating or otherwise promoting the occurrence of the violence through their public statements.
- The possibility of examining other matters which appear during the enquiry to be relevant to the issues under investigation.
- The adequacy or otherwise of the precautionary and preventive measures taken by the police preceding the aforesaid incidents.
- Whether the steps taken by the police in controlling the violence were adequate and proper and whether any killings resulting from the use of force and firearms by police were unlawful.
- The issuing of recommendations for the criminal prosecution of those responsible.
- Consideration of the institutional changes needed to prevent further occurrence of the same pattern of abuses, including legal changes, changes in administrative practice and procedures, recruitment, training and accountability of personnel.
- Consideration of the means of providing adequate compensation and redress to victims and their families.
- Consideration of the steps which need to be taken by the State Government for providing security for the minority and for their complete rehabilitation.

Amnesty International believes that, in view of the fact that the Government of Gujarat and different state agencies, including the Gujarat police, are suspected of sharing some form of responsibility for the manner in which they dealt with the violence, in this case an inquiry carried out by an agency appointed by the central government would have larger legitimacy.

The organisation calls any body or institution mandated to investigate the abuses committed in Gujarat to carry out such an investigation according to the terms of reference and characteristics listed above in this document. Considering the magnitude of the task, the organisation believes that extraordinary investigative resources should be assigned to the body carrying it out. Attention should be paid to the fact that the investigative staff used by any institution

on this occasion do not belong to Gujarat Police. The attitude of this law enforcement agency during the violence would in fact be the object of the investigation itself.

Amnesty International acknowledges the proactive role taken by the National Human Rights Commission in the aftermath of the violence. On 1 March the NHRC issued a suo motu notice to the Government of Gujarat and to the Director General of Police asking them to submit a report on the incidents and the measures taken to contain them. On 21 March the NHRC rejected the Government of Gujarat's preliminary report as 'perfunctory' and asked the government to file a more comprehensive one. A panel of the NHRC also visited Gujarat for three days from 20 March in order to take an independent view of the situation in the state. At the end of this tour the Chair of the NHRC publicly expressed the view that police inaction was a factor in the violence that followed the train attack. He criticised the state administration for failing to stem the violence, adding that 'Things could have been better and all that happened could have been averted.' Amnesty International calls on the NHRC to explore all possible avenues within its mandate to ensure that full light is shed on individual cases of abuses as well as on patterns of violations occurred in Gujarat.

Several non-governmental organizations (NGOs) have publicly and repeatedly expressed the view that the judicial commission established by the Government of Gujarat on 6 March under the Commissions of Enquiry Act, 1952, and composed of a retired judge of the Gujarat High Court may fall short of these requirements. The organisations have expressed concern in particular about the possible pressures a judicial commission appointed by the Government of Gujarat could be subjected to in the present context and that any investigation on the Gujarat violence should be initiated by a body appointed by the Government of India in order for this investigation to meet the necessary standards of impartiality. The record of impartiality of the only member of the aforementioned judicial commission with respect to previous incidents of violence targeting the minority community, as well as the lack of resources assigned to this body, have also been openly questioned by the same organisations.

2. *Displaced persons have rights*

Amnesty International is concerned that a large number of people have been compelled to flee their homes to escape the massacres.

Some of these people, a large majority of whom are Muslims, now live in private accommodation with host families, but most have taken shelter in makeshift camps in the city of Ahmedabad and other parts of the state.

About 20 relief camps are being run in Ahmedabad alone. Official figures estimate that about 50,000 people are living in these camps which are spread across the city. However, some organizations engaged in relief work estimate the number to be as high as 75,000. Larger camps, including those in Aman Chowk and Shah-e-Alam Dargah, house between 8,000 and 9,000 refugees, and smaller ones, such as those in Nagoripatel Ni Challi, Sundaramnagar and Saraspur Pathrewali Masjid, shelter up to 4,000 people. Outside Ahmedabad various community leaders and NGOs report that at least 40,000 people are living in similar conditions in other relief camps situated in cities including Baroda, Rajkot, Godhra, Khera, Mehsana, Chota Udaipur and Kalol, as well as in nearby towns and villages. On 14 March Haren Pandya, the Minister of State for Revenue, placed the official number of the relief camps all over Gujarat at 91.

The population of the camps is reported to be still increasing: the atmosphere of insecurity in the state prevents many casual workers and pavement sellers from carrying out their usual activities, thus depriving them of their means of livelihood. These workers and their families are therefore forced to rely on the camps for food.

Amnesty International believes that it is the responsibility of the Government of Gujarat to ensure the protection of the displaced persons. This duty stems primarily from India's Constitution, which guarantees all Indian citizens the right to the protection of life and personal liberty (Article 21), the prohibition of discrimination on grounds of religion (Article 15) and the equality of all persons before the law (Article 14). The UN Guiding Principles on Internal Displacement (E/CN.4/1998/53/Add.2) clearly affirm that 'national authorities have the primary duty and responsibility to provide protection and humanitarian assistance to internally displaced persons within their jurisdiction' (Principle 3.1).

The organisation believes that to date the Government of Gujarat has not fulfilled this obligation to ensure the protection of the survivors of the violence, or taken responsibility for the relief and rehabilitation of the displaced citizens. In many of the camps government authorities are reported to be absent, and relief operations

are run by members of the victims' community, with help from NGOs.

2.1 *The UN Guiding Principles on Internal Displacement*

Amnesty International calls all the relevant government authorities in the state to fulfil, as a matter of urgency, their duties towards the displaced population as outlined in the UN Guiding Principles on Internal Displacement, and in particular the following:

Internally displaced persons shall be protected against attacks against their camps or settlements (UN Principle 10.2). Internally displaced persons shall be protected in particular against acts of violence intended to spread terror (UN Principle 11.2).

Amnesty International is concerned that, at present, the safety of the camps does not appear to be adequately ensured by police.

Direct attacks on the camps have been reported. On 18 March, the Odhav camp in Ahmedabad was approached by a group of people who started throwing stones and petrol bombs within its confines. That day, the inhabitants of the camp told the press that similar attacks have taken place several times since the camp was set up on 28 February. They reported that the police failed to intervene during the attacks and that they were therefore left with no option but to call in the army for their protection.

The displaced persons report that they are still living in a state of terror. It has been widely reported that in the Vatwa camps in Ahmedabad audio-cassettes containing the chants 'maro! maro!' (kill! kill!) have been repeatedly played at night on loudspeakers to further terrorise the camp dwellers. Amnesty International believes that this is a sign that the displaced persons are at risk of further violence.

Eyewitnesses reports of the initial violence, and evidence later collected by NGOs and community leaders engaged in relief, suggest that, for the most part, Gujarat Police failed to intervene during the violence, and sometimes even actively connived with the attackers. Amnesty International therefore believes that the protection of the camps would be better ensured by a law enforcement agency different from Gujarat Police.

According to press reports, on 20 March an elected representative had written to the Gujarat Home Minister, urging him to immediately move four camps, housing over 10,000 people, out of his constituency of Dariapur-Kazipur. Amnesty International believes that it is the responsibility of all government authorities to ensure that forms of harassment of displaced persons, such as the threat of further displacement, is prevented and firmly dealt with.

These Principles shall be applied without discrimination of any kind, such as race, colour, sex, language, religion or belief, political or other opinion, national, ethnic or social origin, legal or social status, age, disability, property, birth, or on any other similar criteria. (UN Principle 4.1)

All reports state that the violence following the Godhra incident selectively targeted the minority community. In the city of Ahmedabad and throughout the state, homes and shops belonging to Muslims were destroyed, but neighbouring shops were unharmed. There were several reports of some level of involvement of the state machinery (including police, administration and elected representatives) in this discriminatory violence.

Amnesty International is concerned that no measures have been put in place by the government authorities to ensure that this reported discriminatory behaviour is not allowed to continue, after the abatement of the violence, in the way relief and rehabilitation is handled by state officials.

Although the vast majority of the victims of the violence belong to the Muslim community, reports indicate that the few camps in Ahmedabad which are hosting victims from the majority community, for example the one in Kankaria, are receiving more visits from government authorities and more regular rations. Many observers suggest that the lack of action by government authorities in supplying relief for and rehabilitation of the displaced persons is because the majority of displaced persons belong to the minority community.

At the minimum, regardless of the circumstances, and without discrimination, competent authorities shall provide internally displaced persons with and ensure safe access to: essential food and potable water; basic shelter and housing; appropriate clothing; and essential medical services and sanitation (UN Principle 18.2). When necessary, internally displaced persons shall have access to psychological and social services (UN Principle 19.1).

Amnesty International was concerned to learn that the government only started issuing food rations for the displaced persons around one week after the camps had been set up. During the initial period the task of providing food, as well as shelter, clothes and medical treatment to the victims of the violence had been left entirely to local communities or NGOs. According to reports, rations at present consist exclusively of food, they are completely inadequate for the number of people they are intended for and are of

very poor quality. Many camps are either not receiving any rations or are not receiving them regularly. Sanitation facilities are so poor that in some cases there is only one toilet for 500 people. Outbreaks of gastro-enteritis are reportedly common.

Many of the survivors suffer not only from burns and other serious injuries, but also suffer mental trauma. Psychological help and expertise is reportedly unavailable.

Amnesty International believes that it is the duty of government authorities not only to distribute free, good quality and regular rations in the camps, but also to keep a record of the quantities and places of distribution. The organization believes that the work of distribution of the rations could be carried out in coordination with local communities and NGOs.

Every human being has the right to recognition everywhere as a person before the law (UN Principle 20.1). To give effect to this right for internally displaced persons, the authorities concerned shall issue to them all documents necessary for the enjoyment and exercise of their legal rights, such as passports, personal identification documents, birth certificates and marriage certificates. In particular, the authorities shall facilitate the issuance of new documents or the replacement of documents lost in the course of displacement, without imposing unreasonable conditions, such as requiring the return to one's area of habitual residence in order to obtain these or other required documents (UN Principle 20.2).

It is reported that not all of the displaced persons living in the camps have been systematically identified, listed or recorded by the government authorities. Amnesty International believes that some form of registration, both for those in the camps and other displaced persons living in private accommodation with host families, is crucial to ensure that each displaced person can benefit from protection and humanitarian assistance.

The majority of the camp dwellers were unable, while fleeing their homes, to collect their documents and are now therefore unable to prove their identity and residence. Directives need to be issued by the state government to ensure that new documents and ration cards are issued swiftly and free of cost to those who ask for them. This would ensure the right of all people to equality before the law as guaranteed in Article 14 of the Constitution of India, as well as give proof of residence in the city or village of origin. It will also ensure that the displaced persons can exercise their right to citizenship, as defined by Article 3 of the Constitution. The issuing

of proof of residence is also essential for those wishing to exercise their right to vote during the gram panchayat elections scheduled to take place on 7 April in a number of villages in the state.

International humanitarian organisations and other appropriate actors have the right to offer their services in support of the internally displaced (...) Consent thereto shall not be arbitrarily withheld, particularly when authorities concerned are unable or unwilling to provide the required humanitarian assistance (UN Principle 25.2). All authorities concerned shall grant and facilitate the free passage of humanitarian assistance and grant persons engaged in the provision of such assistance rapid and unimpeded access to the internally displaced (UN Principle 25.3). Persons engaged in humanitarian assistance, their transport and supplies shall be respected and protected. They shall not be the object of attack or other acts of violence (UN Principle 26).

Since 3 March a number of local and international NGOs have reportedly tried to enter the walled area of Ahmedabad to bring relief and humanitarian assistance to the victims. However, the police and the city administration in the following two or three days either refused to let them in or failed to provide protection. Several leaders belonging to the minority community are reported to have been harassed, while carrying out relief work, by both the police and other individuals because of their religious identity. Amnesty International believes that clear directives need to be issued by senior police officers to ensure that these incidents do not recur.

Families which are separated by displacement should be reunited as quickly as possible. All appropriate steps shall be taken to expedite the reunion of such families, particularly when children are involved. The responsible authorities shall facilitate inquiries made by family members and encourage and cooperate with the work of humanitarian organisations engaged in the task of family reunification (UN Principle 17.3).

It is reportedly difficult for the displaced persons to collect information about their family members or to reach them, as lists of inhabitants of the camps are not available. Community groups and NGOs engaged in relief are, within the limits of their capacities, reportedly assisting the victims in reuniting with their families. To date, government authorities are reportedly not assisting in the task.

Amnesty International believes that government authorities should compile lists of people in the camps and other displaced persons in all parts of the state and make these available to the

public. Assistance should be provided, directly by the government or through NGOs and other groups, to victims of displacement so that they can find out the whereabouts of their relatives and make contact with them.

The authorities concerned shall endeavour to establish the fate and whereabouts of internally displaced persons reported missing, and cooperate with relevant international organizations engaged in this task. They shall inform the next of kin on the progress of the investigation and notify them of any result (UN Principle 16.2).

It is reported that at least 2,500 persons are currently missing since the violence broke out in Gujarat on 27 February. Amnesty International is concerned to learn that government authorities have completely failed to establish the whereabouts of these people. Dozens of unidentified bodies have been buried in common graves after being left for days.

Internally displaced persons have the right to move freely in and out of camps or other settlements (UN Principle 14. 2).

In many camps the survivors are reportedly not allowed to leave or move about freely, even to obtain basic commodities. While the advice by the government authorities not to leave the camps might be reasonable at times of particular tension, to protect the safety of the inhabitants, their freedom of movement should not in other ways be restricted on a collective basis. The right to freedom of movement is clearly upheld in Article 19 of the Indian Constitution.

Competent authorities have the primary duty and responsibility to establish conditions, as well as provide the means, which allow internally displaced persons to return voluntarily, in safety and with dignity, to their homes or places of habitual residence, or to resettle voluntarily in another part of the country. Such authorities shall endeavour to facilitate the reintegration of returned or resettled internally displaced persons (UN Principle 28.1). They have the right to be protected against forcible return to or resettlement in any place where their life, safety, liberty and/or health would be at risk (UN Principle 15, d).

Amnesty International supports the right of the displaced persons to return to their homes. Areas becoming increasingly exclusive on the basis of the religious identity of their inhabitants are likely to be unstable, as victims of violence who were forcibly expelled from their homes are likely to feel uprooted and to dwell upon a sentiment of injustice.

At the time of the publication of this document the majority of the displaced persons are reported to be still terrified and do not feel safe to return to their homes, if these are still standing. It was reported that on 15 March several families who had been taking shelter in Chartoda Kabrastan, Ahmedabad, went back to what remained of their houses. They rushed back to a relief camp during the night after people shouted intimidating slogans at them.

Amnesty International believes that the Government of Gujarat has still not succeeded in ensuring a safe environment for the return of the displaced persons to their homes. The organisation believes that this will not be achieved unless there is a clear political will on the part of government authorities to put an end to the atmosphere of terror generated by the violence; until those who make speeches which incite communal hatred are prosecuted, including when these speeches are made by government officials; until protection is provided by law enforcement agencies to those who express their wish to return to their homes; and until prosecution of those participating in or masterminding the violence is shown to be a clear priority for the authorities. Amnesty International is concerned that displaced persons who wish to return to their homes will feel unsafe if those responsible for attacking them during the violence remain at large, sometimes in positions of authority, in their home communities.

Amnesty International is also concerned to learn that in some villages in Mehsana district, where gram panchayat elections are scheduled for 7 April, pressure is placed on Muslims by sections of the majority community to return to their villages to participate in the elections. In villages near the city of Patan those people who are asking the minority to return to vote are reportedly setting conditions that before their return they should withdraw the First Information Reports which were filed against their attackers after the violence. Amnesty International believes that the return of the displaced persons to their homes must only be on a voluntary basis and must not become a matter of pressure and negotiation with any individual, group or institution.

However, Amnesty International believes that in some cases survivors of the violence will not wish to return to their homes because they might not feel safe in the future or simply because their houses and businesses no longer exist. The organisation believes that the government authorities must take up the role of facilitators in the relocation of these families. It believes that in this respect

the setting of deadlines by government authorities for the return or relocation of the displaced persons - as it is reported to be happening in the case of villages facing gram panchayat elections - must be avoided as it goes against the principle of voluntary choice of displaced persons.

Special efforts should be made to ensure the full participation of internally displaced persons in the planning and management of their return or resettlement and reintegration (UN Principle 28.2). Amnesty International believes that decisions surrounding the rehabilitation of victims of the violence, and in particular their return or relocation, should be taken only after full consultation with them. This will ensure that these choices do not disrupt the economic activities of the survivors and that their impact on the social integration of the families concerned is as small as possible.

To ensure an informed participation of the displaced persons in their rehabilitation, return or relocation, it is the responsibility of the government authorities to circulate among the displaced persons reliable, up-to-date, comprehensive, independent and impartial assessments of the human rights situation in the areas affected by the violence. The availability of this information should be considered as a crucial criterion in establishing whether the return is truly voluntary on the part of the survivors. Amnesty International believes that this task could be more effectively carried out if the government authorities worked in coordination with NGOs and other groups presently active in relief, rehabilitation and investigation throughout Gujarat.

Competent authorities have the duty and responsibility to assist returned and/or resettled internally displaced persons to recover, to the extent possible, their property and possessions which they left behind or were dispossessed of upon their displacement. When recovery of property and possessions is not possible, competent authorities shall provide or assist these persons in obtaining appropriate compensation or another form of just reparation (UN Principle 29.2).

Reports by victims, eyewitnesses and relief workers indicate that the violent groups not only killed members of the minority community and targeted their houses, but also attacked businesses, shops and other economic activities held by Muslims or in which Muslims were partners. Many commentators expressed the impression that one of the attackers' aims was to further weaken the minority community by destroying their livelihoods. This is supported by the fact

that in the days following the peak of the violence, leaflets were widely distributed in the city of Ahmedabad calling for an economic boycott on the basis of religious identity: '...a strict economic boycott will throttle these elements! It will break their back-bone! Then it will be difficult for them to live in any corner of this country. Then no Muslim will raise his head before us!'

Amnesty International believes that unless the state actively facilitates the process of restitution of the victims to the situation they held before the violence occurred, the attackers' objectives will be achieved. Government authorities should provide assistance and protection to all victims during the recovering of their belongings and fully restore their legal rights.

Amnesty International reminds the Government of Gujarat that impartial investigations into the violence and the protection of the rights of those displaced by it would only be the first steps towards ensuring full redress to the victims of the violence. Full, adequate and effective redress should in Amnesty International's view incorporate the following (These points are based on the Draft Basic Principles and Guidelines on the Right to a Remedy and Reparations for Victims of Violations of International Human Rights and Humanitarian Law which are currently under discussion at the United Nations):

1. Restitution: steps should be taken to restore the victim to the situation they were in before the violation occurred, including restoration of their legal rights, social status, family life, place of residence, property and employment;

2. Compensation: steps should be taken to compensate for any economically assessable damage resulting from the violations, including physical or mental harm, emotional distress, lost educational opportunities, loss of earnings and legal and/or medical costs;

3. Rehabilitation: steps should be taken to ensure medical and psychological care if necessary as well as legal and social services;

4. Satisfaction and guarantees of non-repetition: steps should be taken to ensure cessation of continuing violations, public disclosure of the truth behind the violations, an official declaration of responsibility and/or apologies, public acknowledgement of violations, as well as judicial or administrative sanctions, and preventive measures including human rights training.

Until the Government of Gujarat shows a clear political will to move in these directions, brutal human rights violations like the ones referred to here are likely to continue.

CITIZENS' MEMORANDUM TO THE NHRC

To: The National Human Rights Commission, New Delhi

We, the undersigned, strongly condemn the recent spate of violence in Gujarat and the Gujarat government's shameful behaviour during these riots. Having lost confidence in the capacity of the Gujarat government to deal with the current crisis, we call upon the National Human Rights Commission to safeguard human rights and ensure justice for all residents of Gujarat.

The horrendous massacre of the passengers of the Sabarmati Express at Godhra is a reprehensible act and should be condemned in the strongest possible terms. It should be dealt with under the purview of the Indian constitutional law, which has provision for dealing with such matters of gross criminality.

Instead of apprehending and bringing to trial the perpetrators of this criminal act, the Gujarat state machinery has decided to punish an entire community by letting loose a reign of terror on the minority community. It has been deliberately feeble in its response to the marauding, organised gangs of rioters, and in some cases has actively encouraged this violence by stating that it is understandable and justified ('Soldiers "held back to allow Hindus revenge",' *The Telegraph* London, March 4, 2002). We strongly condemn the Gujarat State Government for failing to act responsibly on this issue, which has resulted in the loss of more than 500 innocent lives.

We also condemn strongly the delay on the part of the Central and the State government in calling for Army deployments in the riot-affected areas, days after it had been abundantly clear to the national and international community that the state police was ineffectual in containing the violence ('Where Had All the Soldiers Gone?' *The Telegraph*, Calcutta, India, March 2, 2002).

We strongly condemn the role of the various religious factions in escalating the violence in Gujarat, for vitiating the communal

milieu in the entire nation and creating the polarised atmosphere where such large scale riots are possible. We note with disapproval that several of these groups have close connections to the State Government ('VHP, BJP workers named in FIR on riots', *The Times of India*, March 3, 2002).

OUR DEMANDS:

- We call for the immediate setting up of an independent and impartial judicial enquiry into the cause of these riots and the government's inability to maintain law and order. We further demand that the commission's findings be publicly disclosed as soon as possible and its suggestions be made binding upon the state government.
- We call for immediate assistance, both material and psychological, to people affected by the riots. We are shocked and dismayed that the state has so far done little to provide relief or succour to those who have lost family members, homes or businesses in the recent riots, or have been forced to move out of their homes because of security concerns. We demand that the state immediately rush medical and food aid to those who have been affected, besides making arrangements to shelter those displaced. We also urge the government to extend monetary assistance for rebuilding homes and businesses of those who have been affected by the riots. The government should take up the rebuilding of the riot-affected communities and businesses as its top priority.
- We demand that equal compensation be given to all victims. All lives are equally precious, and giving smaller amounts of compensation to people of one community over another ('Debate rages over bias in victims' compensation', *The Times of India*, March 6, 2002) makes a mockery of the principles upon which India was founded. We demand that the amount of money accorded to the families of the dead in the riots should be equal to that granted for the victims of the Sabarmati Express fire, and this compensation should be disbursed immediately, impartially, and with complete transparency.
- We call upon the Gujarat State Government to immediately issue a strong condemnation of those responsible for the violence in the state, including those belonging to the cadres of the leading political party and its allies.

• We call for the immediate dismissal of the police commissioners in the cities worst affected by violence, including Mr P.C. Pande (Ahmedabad) and Mr Upendra Singh (Rajkot) who displayed remarkable inefficiency in maintaining law and order, and under whose 'leadership', the police forces turned a blind eye to the rampaging mobs creating havoc in these cities, and carrying out systematic massacres. Mr Pande has gone on record justifying the police inaction as that reflecting the sentiments of the larger community ('Avenging Hindu Mobs Attack Muslims in India', *Washington Post*, March 1, 2002). Mr Singh is reported to have turned off his state-issued mobile phone as soon as rioting started in Rajkot ('Police chief vanishes as Rajkot burns', *The Times of India*, March 1, 2002).

• We call for the resignation of the Gujarat Chief Minister, Mr Narendra Modi, who has shown himself to not just be completely incapable of leading the state in the time of crisis by making insensitive statements suggesting that the victims brought the violence on themselves, and that the violence was a result of direct provocation. We, the citizens of a free world, find it particularly insulting that the chief minister should excuse his administration's failure to contain violence by stating Newton's third law of motion, 'Every action has an equal and opposite reaction' ('"Newton" Modi has a lot to answer', *The Times of India*, March 2, 2002). It is no surprise, therefore, that Mr Modi's constituency, Rajkot, which did not witness any violence even in the wake of the 1992 demolition of the Babri Masjid, has not seen some of the worst carnage.

• We demand that the Prevention of Terrorism Ordinance (POTO) not be applied in the state. We share the concerns of citizens of Gujarat about the inability of the current government to assure civic rights to all its citizens. In this light, we ask that POTO not be applied in the state as it allows the government to operate under a cloak of secrecy. We request that all state actions be taken in a transparent and public manner in order to assure the citizens of Gujarat of the sincerity of the government in combating communal violence, and ensuring public confidence in the state machinery.

• We demand an immediate end to all measures to curb the freedom of press. If India is to remain a vibrant democracy, it is extremely important that the media be allowed to operate freely. We urge the government to remove all restrictions on the screening of different television channels in Gujarat, and to provide full access

and security to media-persons covering the current situation throughout the state.

Citizens' Memorandum circulated on the Internet
3 April 2002

APPEAL TO THE PRESIDENT OF INDIA

CITIZEN'S INITIATIVE FOR JUSTICE AND PEACE

To
The President of India,
Shri Narayanan

Dear Mr Narayanan,

- Stop the Gujarat State's violent efforts to wind up vulnerable relief camps in Allahabad city
- Punish Policemen Guilty of Firing to Kill 40 days after Violence in Gujarat
- Deploy Army in Full Control in Gujarat as the Police Functions Unprofessionally
- Demand Constitutional Accountability from chief minister Narendra Modi whose office is violating the Indian Constitution every day

Police were at the forefront of today's assault against minority sections of the population in the curfew-ridden parts of Ahmedabad, Gomtipur. The Police, led by PI S.D. Sharma, in the presence of Mr Parmar of the Ahmedabad Collectorate, led a violent attack on the 750 refugees of the Suleiman Roza Relief Camp (behind Nutan Mills), Saraspur and actually shot two persons, Pirujbhai Mohammad Sheikh (30) and Khatoonbi Sharfuddin Saiyed (45). The camp that has been home to 750 displaced persons over the past 40 days was in this fashion forcibly wound up. The 750 persons have fled and many are sleeping under the open sky in fear and terror.

Gujarat Chief Minister Narendra Modi had made public noises about wanting to wind up camps before the Prime Minister Atal Behari Vajpayee's visit and BJP minister Bharat Barot had intimated that all relief camps should be wound up. The incident happened around 11.30 a.m. just after the Collector Pandaya had left the area after a camp visit. This camp, number 37 was fired upon late last night by the police and the two injured persons are in Civil hospital. Masoombhai, a worker at the camp, has been arrested by the police. The camp 35 Al Iqwan Chaali is receiving threats and facing attacks from local mobs.

Unprecedented violence has broken out in Ahmedabad and its outskirts today, with the police, RAF and SRP forces numbering 150 shooting 29 innocent victims inside their homes and killing one. Advocate Nizam was shot dead by the police inside his home today. Dr Ishaq Sheikh, Vice President of the Al Ameen Garib Niwas Hospital, an institution that has been at the forefront of helping the injured and brutalised over the past 40 days, was pulled out of his ambulance by the Ahmedabad police, SRP and RAF personnel, and brutally beaten up. Police Inspectors Modi and Parmar were present while this happened and did nothing to stop the assault. The second person shot dead in police firing hails from Sakhar ghanchi ki chawl – (Mohammad Yunus Akbarbhai). The policemen named by eyewitnesses are N. A. Modi (PSI D Staff), N. R. Jadhav, senior Police Inspector and Mr Sawani, DCP.

Two other camps – the Char Toda relief camp at Gomtipur and the Al Iqwan Committee at Saraspur – were threatened by the police that they should be wound up soon.

Within Gomtipur, local residents claim that near Mariambi ki chawl, Hirabai chawl, a camp of 700 Harijans has been continually provoked by their leaders Dayabhai Hirabhai (independent corporator) and Jitu Waghela (ex corporator BJP) and Harish Paanwala, first in BJP, now in Congress, to attack the homes at Mariambi chawl. The attackers come from Amraiwada (Sahranpur cotton mill 2 and Silver mill); and the signals to attack are either a rocket launcher being let off at night or firecrackers being burst in the daytime.

Today over 8,000 persons have taken shelter at the Mother Dawakhana and St Joseph's School, Gomtipur. They hail from

Chote Lal ki chawl, Mariambi ki chawl, Sahriya Ghanchi ki chawl, Mathina Bhavan, Hari Niwas Chali, and Mehmood Building.

TEESTA SETALVAD JAVED ANAND INDUBHAI JANI BATUK VORA
JAVED AKHTAR FARUKH SHEIKH

On 27 February 2002, a coach of the Sabarmati Express was torched near Godhra railway station. Fifty-eight passengers, mainly Hindu pilgrims returning from a visit to Ayodhya in support of the temple movement, were burnt to death.

Within 24 hours, a conflagration of the most cruel and systematic violence against Muslims erupted and spread in a large number of cities, towns and villages in Gujarat. The action was unlike any previous communal violence in post-Independence India. In the months it took for a semblance of normalcy to return to the state, apart from the natural outpouring of on-the-spot media reporting and analysis, several investigative teams rushed to Gujarat, conducted inquiries and published reports and other documents. Official bodies including the National Human Rights Commission (taking a direct interest for the first time, of its own accord, in communal violence) made important studies and presented them to the nation.

This book is a compilation of articles, editorials, investigative reports, surveys, memoranda and other significant material on the carnage. The final report of the National Human Rights Commission is included in it. Useful material and information will be found in it by future researchers, academics and lay readers.

As the specific events of the grim year are blurred and glossed over by other issues and by time, it is important to have such a compilation that preserves the lessons learnt in one of the most horrifying and ominous periods in India's modern history.

Asghar Ali Engineer (b. 1949) occupies a unique position among scholars of Islam and of Muslims in India, and among teachers and activists working for the cause of communal harmony in the nation. A civil engineer by qualification, he has trained in Islamic theology, Tafsir, Islamic jurisprudence and the Hadith. He has more than 40 published books to his credit on Islam, the problems of Muslims, the rights of Muslim women, and on communal and ethical problems in India and South Asia. A large number of articles by him have appeared in leading Indian newspapers and journals, and he is the editor of the quarterly *Indian Journal of Secularism*. He has held office in key academic, Islamic and civil rights institutions and associations, and won a number of national awards for efforts in communal harmony.

Very significantly for this book, he has probably the longest and most extensive record of personal study and research into communal riots in India.

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